



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

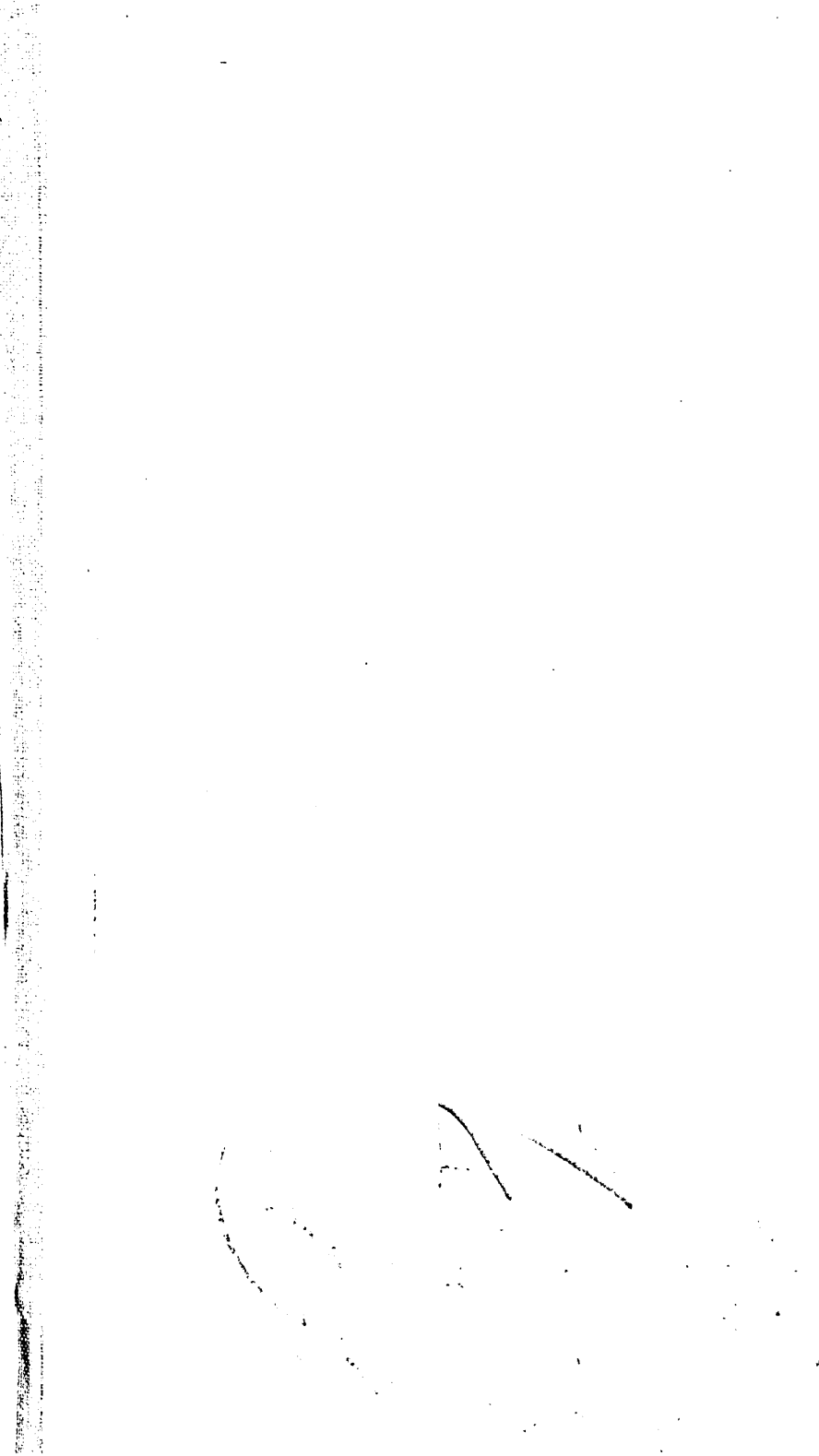
Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

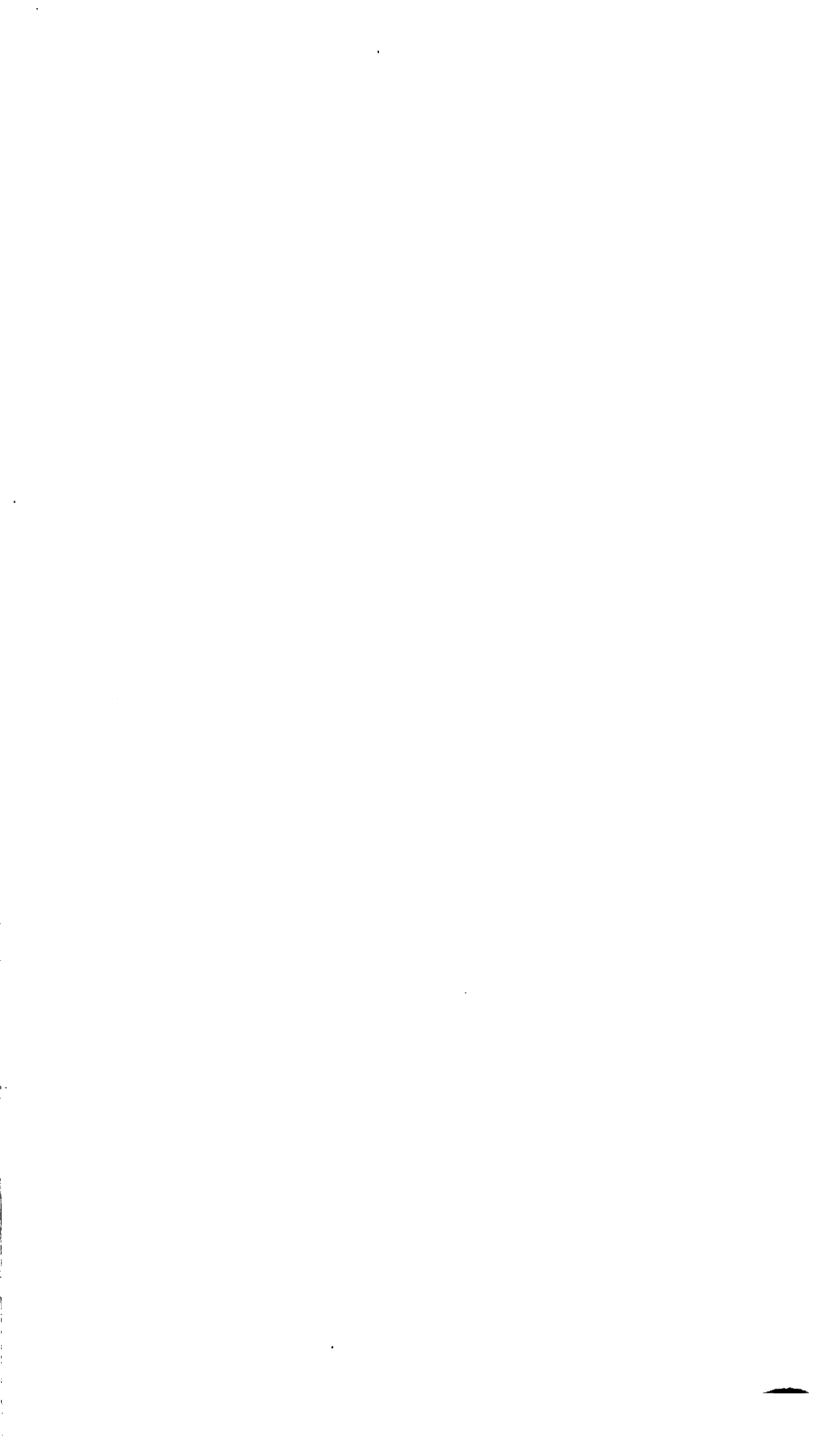
We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>





Journal
Controversy between Judge
John Propster of
Len Greene, & Charles
Caldwell

and
Gen Henry Lee & his
descendants
John B. K. K. K.
Tenn. of

Henry B. K.
Frankfort 1846

a very rare & important
book. (P. 1-4)

Book
AN



THE VINDICATION

OF

JOHN BANKS, OF VIRGINIA,

AGAINST FOUL CALUMNIES PUBLISHED BY JUDGE JOHNSON, OF CHARLESTON, SOUTH-CAROLINA, AND DOCTOR CHARLES CALDWELL, OF LEXINGTON, KENTUCKY. ALSO,

THE VINDICATION OF
GENERAL HENRY LEE, OF VIRGINIA.

WITH

SKETCHES AND ANECDOTES

OF MANY REVOLUTIONARY PATRIOTS AND HEROES.

BY HENRY BANKS,

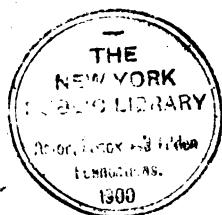
OF RICHMOND IN VIRGINIA, NOW AT FRANKFORT IN KENTUCKY.

Edm. 2.44.

FRANKFORT:

PUBLISHED BY THE AUTHOR,

1826.



28811

WROX WEN
CLUB
VIA RGL

INTRODUCTION.

HAVING heretofore published an article in the Argus of Western America, in which I promised to vindicate the character and credit of my brother, John Banks, who performed a distinguished part in the revolution, and who died in the year 1784, against the aspersions of the historical publications of Judge William Johnson and Doctor Charles Caldwell, I now proceed to the performance of that duty.

Since the promise was made, I have been so much afflicted by disease and pain, that I have been compelled to write at intervals of ease, and often in a reclining posture, which has occasioned the necessity of employing an amanuensis, to transcribe more intelligibly, what had been thus prepared. I have also been considerably retarded by the trouble it has cost me, to arrange facts and dates in chronological order; and although I am not entirely satisfied, yet my memory assures me, that the errors, if any, will be unimportant.

While the mind has been thus devoted to arrangement, it could not also be employed in the choice of words or phraseology. My main purpose was, to exhibit the *truth*, in all matters deemed necessary for publication. From the reasons which have been shown, I am aware that the following pages will afford many causes for criticism; but as my purpose is, by the means of simple and plain illustration, to effect the main object which has urged me to this publication, provided I shall succeed therein, I will bear the castigation of critics without a murmur.

But as it is my intention to publish an amended edition, as soon as circumstances will require it, I shall ask some indulgence on that account, and observe, that the following sheets have been sent into the world chiefly for the purpose of vindicating the conduct and character of a much respected brother, and as I believe, an upright man, and a genuine and meritorious patriot.

I am aware that this publication will excite some surprise; but should the following pages be read with attention, the matter which they contain, will excite much more. They will embrace and bring into view very important transactions with the Governor of Virginia and the commander of the southern army, and relate to many events and many names that were conspicuous in the latter years of the revolution, to wit, 1780, 1781, 1782, 1783, and

some events of 1784, when Mr. Banks died, and some subsequent matters having a connexion with him and his affairs.

John Banks was, at no time, in public office. He was neither a public defaulter nor a speculator on the public resources, as his defamers have represented. He never was indebted to the public; but was often a liberal and patriotic creditor, and when he died, had large claims upon the justice and liberality of his country, which have never been satisfied or even liquidated; all which, will be fully shown in the following pages.

It will be also shown, that John Banks was the benefactor of General Greene, and the saviour of the army which Greene commanded, and rendered more service to the successful termination of the revolution, than any other private individual; so that his calumniators may prepare to retract the charges which they have made, or to bear the condemnation of a generous public; whom they have abused by a long and studied chain of misrepresentations; and also to be constantly reminded, by rebuking consciences, *that they have borne false witness against their neighbor*, and still more, have called back from the tomb the departed spirit of his country's benefactor, to bear testimony against them.

I shall now proceed in the execution of my long standing promise, and will commence with a memorial, followed by a sketch of John Banks from his birth to his death, give sketches of General Greene's private and military character, and sketches of other military and civil characters, with many illustrations, which will either instruct or amuse the reader.

P. S. I have heretofore published many pamphlets, both in Virginia and Kentucky, relating to public interests, which have been gratuitously circulated. In this case, those who choose to read, must purchase.

MEMORIAL.

To the honorable the Members of the Senate and House of Representatives of the United States, the Memorial of HENRY BANKS, of the City of Richmond in Virginia, but now at Frankfort in Kentucky, respectfully sheweth:

YOUR memorialist solicits the attention of your honorable body to a series of events which happened in the years 1780, 1781, 1782, 1783 and 1784, having connexion with the revolutionary war, and to the consequences of those events, from which the United States derived great benefit, and from which your memorialist sustained very great injuries, which have not been redressed, and which now bear very oppressively upon him; in consideration of which, he asks justice and remuneration from the United States.

Your memorialist represents himself as the brother, agent, friend, representative, guarantee, heir and injured security of John Banks, the contractor, the supporter, and the saviour of the southern army, in the times of the greatest danger and suffering; that the services conferred, and the benefits received from him, particularly in the year 1782, when the southern army was not only destitute of clothing and provisions, but was also in a mutinous condition—when the commander, General Nathaniel Greene, was compelled to seek the assistance of John Banks, and afterwards was induced, in the fulness of his gratitude and most perfect knowledge and enjoyment of great benefits, to write to Mr. Banks a letter of some length, containing what follows:

“The comfortable condition in which you have placed the army, demands our warmest acknowledgments; *for although you were the only man who had the will and the means to render such services, our obligations are not the less on that account.* But great as all our other obligations to you are, it will be greater than all the rest, if you will undertake to supply them with provisions also.”

The exhausted state of South Carolina, at that time, forbade the hope of obtaining provisions from that quarter. After some time and necessary explanations, a contract was made by John Banks, under the direction of Greene, with an assurance that in consideration of the exhausted situation of the country, and the hazard of getting provisions from other States, the United States

would indemnify him. In this contract, General Greene's aids, Major Ichabod Burnet and Major Robert Forsythe, became partners with Banks. The army was immediately made comfortable and satisfied, and their military duties and orders were executed.

General Greene drew bills upon Robert Morris, the Financier of the United States, by Morris' own permission; they were received in payment by Banks; Greene had no other means of paying; but Morris neither accepted nor paid the bills. Banks not only sustained great losses and injuries, but the want of funds to purchase other provisions, created new difficulties. Vessels loaded with provisions were captured by the enemy, and thus increased and extended those losses to sums not now known.

When the British forces evacuated Charleston, and Banks' aid was no longer wanted, his views were presented to the mind of General Greene. He made no effort to indemnify him for losses—not even for the dishonor of the bills on Morris. He was, therefore, harrassed by many, and particularly by Greene, who had guarantied some contracts which were necessary to his business. Banks was of a weakly constitution, and being thus involved, became sick at Washington in North-Carolina, where he breathed his last in August 1784, in the 27th year of his age, far from home, friends and relatives. General Greene being present, obtained the possession of all his money, debts, notes, merchandize and books, and soon after obtained letters of administration, by the means of which, he completed by law, what he had commenced as a depredator.

Your memorialist cannot state what Greene obtained, nor does he know in what manner what he did obtain was disposed of; but he has no hesitation in saying, that Greene converted every thing he got or could get, to his own uses and purposes, and destroyed every document which might militate against him and his deeds.

Shortly after the death of John Banks, Greene came on to Richmond in Virginia, and brought with him a guaranty which your memorialist had executed to him shortly before Banks' death. Greene then promised a speedy and faithful administration of Banks' affairs, and obtained the sanction of your memorialist, under the full reliance that he would be regulated therein by truth, honor and expedition; but Greene having failed in his promises, your memorialist wrote several letters to him, some time before his death, to which he made no answers.

Greene died in 1786, and no settlement or account has been rendered; but many data, the knowledge of which, long afterwards obtained, has convinced your memorialist that Greene received much more in value, &c. than was sufficient for his indemnification as security, and unless he granted exonerations to some of the persons whom he chose to favor, a very great surplus beyond the sums for which he was bound as a guarantee, would have remained.

7
Your memorialist sheweth, that in the year 1788, Congress was induced, upon an ex parte report made by Alexander Hamilton, then the Secretary of the Treasury, to pay to Greene's representatives \$——, in consideration of his supposed losses in the aforesaid matters; and again, upon the petition of Catherine Greene, in 1793, Congress was induced to pay another sum, amounting to \$——; but the act which authorised the payment of the money, directed that the representatives should give up all the property and securities that had been received.

Your memorialist here shows, from what he has heard, that the two sums paid by acts of Congress, were not more than equal to the losses and injuries sustained by John Banks, by the refusal and failure of Robert Morris to pay his bills, as aforesaid; and that Greene's representatives had previously received indemnification from Banks' estate, or had become responsible for much larger sums. Your memorialist cannot give all the details of these matters, but he speaks positively relating to an estate on Cumberland Island, in Georgia, consisting of land and negroes, which Banks had purchased, for which Greene became the guarantee in bonds, and that those bonds were paid by the acts of Congress; so that Greene's representatives ought to have surrendered the possession of that estate, both land and slaves, to the agents of the United States; but the possession has not been released or surrendered, but has been enjoyed by them, or some of them, with rents and profits, since 1784, when Banks died, to this time.

Your memorialist also represents, that Greene claimed and received from Robert Forsythe, who was one of the partners of Banks, under the firm of Robert Forsythe and Co. the mercantile capital which was in Forsythe's hands at his death. He likewise obtained the mercantile capital which was in the hands of Ichabod Burnet, another of Banks' partners, under the firm of Banks, Burnet and Co. and particularly a large amount of goods which Burnet had carried with him to the Havanna, where he died; the amount has been variously stated, from \$30,000 to £9,000 sterling. He avers that the same Forsythe and the same Burnet were interested in the contracts for furnishing provisions to the army, and likewise in the purchases of goods for which Greene was the security; and he also states, that there were then, and are now, reasons for believing that Greene was the secret partner of Forsythe and Burnet, of which demonstrations will be made.

Upon the whole, your memorialist conceives that the money paid by the two acts of Congress, does not exceed the losses which Banks sustained on the contract for supplying the army with provisions, and that he is entitled, as representative as aforesaid, for all that Greene received, or might have received in consideration of the aforesaid administration, and likewise the interest held by

Banks in Cumberland Island, and a large number of slaves, with rents and profits; and your memorialist refers to a full elucidation of his claims and losses, by reasons which are fully displayed in a pamphlet published by himself, which is hereunto annexed.

Your memorialist will hereafter furnish documents, and more fully demonstrate that he has other claims against the United States, on account of the former house of Hunter, Banks and Co. which are mentioned in the 20th and 58th pages of the annexed pamphlet; the payment of which has been avoided by the government of the United States, under pretence of the voluntary and erroneous advances which have been made to the representatives of General Nathaniel Greene.

Your memorialist, in the days of his youth and prosperity, was only known as one who had the will and the means to be useful to his country, and to those who were engaged in its service. He has wasted his life, lost the fortune which he has enjoyed, and has suffered great injuries and privations; and now, when age-worn, care-worn, and debilitated—when his life is ebbing away, he has been induced, as a necessary means of vindicating his deceased brother, and demonstrating his own rights and claims, partly in connexion with that brother, to revive scenes and recollections of more than forty years' date, and in terms which denote the consciousness of his claims, to submit to the honorable representatives of the nation, the following prayer: That they will, by their own voluntary act, grant to him such measure of justice, as may be sustained by demonstration; or that they will authorise some public tribunal to make decrees or sanction issues in the premises, or consent that competent and disinterested arbiters or umpires may make such award and report as may comport with the principles of justice; that they will assert, against Greene's representatives, the fulfilment on their part of the conditions of the act of 1793—will receive all property and securities guarantied by that act, with rents and profits, and hold the same as the property of the United States, subject to the just claim of your memorialist.

And your memorialist, in respectful duty, &c. as becomes an independent citizen, acknowledges and bows to superior power; at the same time, not only claims, but will hereafter demonstrate the rectitude of those claims to justice and remuneration.

HENRY BANKS.

March 25th, 1826.

JOHN BANKS, OF VIRGINIA.

JOHN BANKS, the subject of these memoirs and this vindication, was born and raised in the county of Stafford, in Virginia, at Green Bank, the well known seat of Gerard Banks, Esq. upon the Rappahannoc, about four miles from Fredericksburg, and nearly the same distance from Falmouth. I take much pleasure in acknowledging, that he was my eldest brother. He was of a very delicate constitution; so much the reverse of my own, that although there were three years and more of difference in our ages, there was, from my earliest recollection, very little in our size. We were, in sports at school, on visits, &c. constant companions, and partakers of the same beds, and never held or claimed any thing in exclusion of each other, until the affairs of business, on his arrival to manhood, separated us; but, however separated in person, our souls were united by the strongest ties of mutual affection and reciprocal confidence. He was in stature about five feet ten inches high, delicately and elegantly formed, of handsome features, smiling countenance and winning address, and totally free from gambling, drinking, and all kinds of dissipation. John Banks had received, at Fredericksburg and other places, a classical education, such as could then be obtained and imparted in establishments where a single, unassisted teacher performed all the duties of his school.

At the age of about eighteen years, he was desirous to obtain an appointment in the army, suitable to his education, constitution and station, but did not succeed. Superadded to the delicacy of his form, he had received an injury in his left arm, by inoculation, from which, he, after several years of pain, was cured by the exfoliation of the bone, which literally unfitted him for the rugged duties of a soldier; but his active mind soon took another and more suitable direction. He devoted himself to commerce, and commenced his mercantile career at Fredericksburg, in partnership with a gentleman who had been regularly instructed in a counting-house. This partnership served to open and expand the juvenile mind of the young adventurer; but was of short duration, owing to his partner's habits of gaming—a habit to which John Banks was never addicted.

From Fredericksburg he went to Norfolk, with letters of friendly introduction to respectable merchants; and from Norfolk he

went to the West-Indies, with letters of the same character, where he obtained the confidence of men of the first capital and mercantile fame. Wherever he presented himself in the West-Indies, he obtained consignments and agencies, which induced him to return to Virginia—not to Fredericksburg, but to Richmond, the capital of Virginia, at the falls of James river, and the market for the tobacco then much celebrated by the designation of the James river tobacco.

On his return to Virginia, he formed a partnership with James Hunter, at Fredericksburg, who was then in partnership with two old and respectable merchants, under the firm of Smith, Bowdoin and Hunter. The firm of the new house was Hunter, Banks and Co. The terms were, that Banks should be the exclusive manager of the business, and hold one half of the concern. His consignments, agencies and enterprises were soon so great, that he was constantly employed in his vocations, in purchasing and shipping tobacco, and in promiscuous mercantile transactions, and was particularly fond of being interested in mercantile vessels having public commissions, called Letters of Marque, by the means of which he soon afterwards caused great injuries to the enemy, as will hereafter be seen.

In the winter of 1780 and 1781, Richmond was suddenly surprised and taken possession of by the traitor, General Arnold, then in the British service. Opposition was not made to him. The Governor, Jefferson, and many others friendly to our cause, made precipitate retreats. The lukewarm and disaffected remained. As John Banks had given decided manifestations of his political principles, they were made known to Arnold, who took this opportunity of retaliating, and actually destroyed a large quantity of salt, sail duck and dry goods, and between 90 and 100 hogsheads of rum, which were in the possession of John Banks; the computed value of all which, was at that time equivalent to thirty or forty thousand dollars; whilst one of the same houses or stores, containing similar articles, which belonged to some suspected or disaffected inhabitants, was protected and saved by the marauders.

The scene of destruction was in the main street, about one hundred and fifty yards from Shockoe creek, and nearly opposite the present Union tavern. It was done by bringing the salt, canvass, &c. into a heap, and was there consumed by fire, and at the same time by knocking in the heads of the rum hogsheads, which took fire, and in that situation flowed into Shockoe creek, thence to the river, and exhibited the singular spectacle of the river on fire. This was the first sacrifice which John Banks suffered for his political devotion to his country. Arnold, after having done other mischief of like character, retreated to his shipping, which lay at Westover, and returned to Portsmouth.

Hunter, Banks and Co. then owned, and were concerned in, and superintended, in James river, a few miles below Richmond, a ship of 20 guns, four brigs of from 12 to 16 guns each, and two schooners, all armed, equipped and loaded for sea, with cargoes of tobacco. Immediately after Arnold's invasion, James river being blocked up, the active and enterprising character of John Banks induced him to go into North-Carolina, to superintend other vessels, one of which had captured a valuable prize, laden with British goods, chiefly suitable for the army. He very soon afterwards fitted out vessels as cruisers against the enemy, which were successful; so that the scene of his business was transferred from Richmond to Edenton, Newbern, Wilmington, Washington and Beaufort, in North and South Carolina; and it was at some of these places, that he had transactions with some agents of the army, which will be hereafter noticed. In the mean time, the British took post at Portsmouth, with a small force, and presented to the mind of Governor Jefferson, an opportunity of rendering a public service to his country, and acquiring the glory and fame of a splendid achievement for himself. He, therefore, formed the plan of attacking and capturing the British forces, with their general, the traitor Arnold; but neither Virginia nor the United States possessed any naval force equal to the purpose, and there was but little naval force in the State, except the vessels of Hunter, Banks and Co. John Banks, the sole acting partner, had gone to North-Carolina, and had transferred his power to the writer of this memoir, who, then young and inexperienced, and animated by the feelings of his brother, gladly listened to the proposals of Governor Jefferson; and upon the pledge made by him, to the writer in person, in the council room, to which he was invited, of the guaranty of the State for the indemnification of the owners of the vessels, he consented that they should co-operate with the land forces. These vessels were thus guarantied and employed many weeks in public service, and failed to go to sea according to their several destinations. At length a British fleet of superior force having arrived in Hampton Roads, prevented their safe passage to sea. The river being thus blocked up by a superior force, Governor Jefferson dismissed and discharged all those vessels which he had guarantied, and gave as a reason that he did so, because a superior British fleet had arrived, and had rendered them useless; but major general Baron Steuben, on account of the United States, still retained them in service. The arrival of that fleet was soon followed by the arrival of the British army under General Philips, which was soon succeeded by General Lord Cornwallis, with another army from North-Carolina; but before the arrival of Cornwallis, Philips had advanced to Petersburg, and sent a detachment, with some cannon, to a hill which commanded those vessels, by means of which the enemy took,

sunk, burnt or otherwise destroyed the whole fleet. If the writer of this memoir had then chosen to claim the protection of the British, and acknowledge himself a British subject, he might have saved the vessels and cargoes, and secured for himself independent wealth, by protection to so many fast sailing vessels and about 1,000 hogsheads of tobacco. Thus did Hunter, Banks and Co. and those connected with them, sustain another loss at least equal to ninety or one hundred thousand dollars.

Before John Banks went to Carolina, he had sold and delivered to some agents of the government, a large parcel of goods, upon the terms that the value should be compensated according to the depreciation of money. Payments were delayed; the depreciation was so rapid, that the imagination could not keep pace with it, and to such a degree, that it advanced, from March to August, from 70 (the rate at which the contract was made) to 1000, and finally sunk. Upon this single transaction, Hunter, Banks and Co. sustained a loss of about ten thousand dollars in specie, which, though it has been sought for, has not been paid. So that their losses in Virginia, from December 1780, by Arnold, to August 1781, were equal, at the least, to one hundred thousand dollars in specie; all of which happened in consequence of their devotion to the American cause.

But great as the losses were, it was believed that they soon after gained nearly as much, by the indefatigable industry and successful enterprises of John Banks, in North Carolina. So great were they, that he became personally obnoxious to the British commander at Charleston, and narrowly escaped being made prisoner by a party which was ordered on that service.

Before I proceed with the vindication of John Banks, I will invite the reader's attention to other incidents, which put it in his power to be of more active utility to the United States, than any other private individual; and when we view him as totally insulated, not more than twenty-three years of age, depending upon the energy and combinations of his own mind, and the aid of those who voluntarily attached themselves to his plans and fortunes, it would now seem (except to those who knew him, and remember his enterprises and successes) to be the fanciful tale of delusion. Yet I, who know what will be stated to have been entirely true, should not pause or falter, because some who read may expect what they read to be the tale of romance; and that I, who am a volunteer to avenge innocence, say of Caldwell and Johnson, that their histories and romances have fallen into the same error. But I am now writing, not to serve myself, whose race of life is nearly closed, nor to serve my injured brother, who has been dead more than forty years, and relating to events of more than forty years' date; but I do so because I have written and mean to write the truth. But to proceed.

Soon after John Banks withdrew from Richmond to North-Carolina, having determined to endeavor to repair his losses on James river, which have been already shown, he wrote to me by a special messenger, and requested that I would procure for him six blank commissions for vessels which would suit for letters of marque or privateers, and to forward them by an express to him in North-Carolina. This letter I received in Richmond. At that time the public offices, the legislature and the public archives were removed to Charlottesville, and the British army lay on the route. I immediately commenced the journey, with no other authority or voucher than as his known representative. On my way I was made a prisoner, by a party attached to the British army, and conducted to an outpost, where I was liberated, on the ground that I was a youth, taken not in arms, and permitted to retire. Having learned that the British intended to proceed to Charlottesville, I hastened to give information at that place; but before I arrived, the British Colonel Tarleton, with a small detachment, had advanced to that place, and had dispersed the legislature, taking some, wounding some, and doing some other mischief. Information had, however, been conveyed to them by Mr. John Jonitt, time enough for the greatest number of them to make their escape.

The legislature fled about 40 miles, to Staunton, on the west side of the Blue Ridge. Thither I went, and made application to the executive council. My application was made to the board for the commissions, which were the object of my journey; and although my application deviated from the customary rules relating to commissions of that character, such was the knowledge and influence of John Banks' patriotic devotion and integrity of character to the cause, that they did deliver those commissions to me, with a confidence that he would fill the blanks which were left for the names of the vessels and their commanders, with honor and truth.

While I was at Staunton, Mr. Jefferson sent to the legislature his resignation as Governor. It was received, and the house proceeded immediately to the election of General Thomas Nelson, who accepted the appointment, and put himself immediately at the head of the militia, and ever after considered the enemy's lines as his head quarters. Hereafter, I shall take further notice of this distinguished patriot.

With the commissions, I returned to Richmond, and forwarded them by a young man worthy of confidence, with directions to travel as far from the British parties of regulars and tories in North-Carolina, as he could, and take advantage of the American detachments. He obeyed his instructions; and by performing circuits, and losing about 100 miles, he delivered his important trust in safety. At that time, John Banks' devotedness and useful-

ness were so well known in the lower parts of the State, that a letter to him was everywhere a passport to the bearer.

Soon after John Banks received those commissions, he commenced a career of naval enterprise and warfare, which gave new energy and activity to the seaboard district of North-Carolina, and parts of South-Carolina, filled the enemy with surprise, and revived the drooping spirits of the people. It also excited a spirit of enterprise and adventure, which rewarded them with rich and useful spoils. Thus it was that the whole marine region of North-Carolina, which was ready to sink under the British yoke, became a formidable barrier of strength, a band of useful patriots in the public cause, and afforded, by their intercourse with the interior inhabitants, necessary supplies to those corps which were commanded by Marion, Sumpter and others.

Such events, and such consequences, excited in the British commandants a desire to take Mr. Banks prisoner. The attempt was made, but without success; but some of their parties destroyed many of the naval and commercial preparations which he had made and was making.

In the course of the many captures which were made by Mr. Banks' vessels and those in which he was concerned, some respectable passengers became prisoners. To these he deported himself with so much kindness and liberality, that he ensured their friendship, the benefits of which he experienced afterwards, when he was authorised by General Green and other public functionaries, to go into Charleston with a flag, to supply the inhabitants with provisions, and to receive clothing from the British merchants, which was so much wanted in the American army.

At Beaufort in South-Carolina, he had collected and loaded for the Havanna, several small fast sailing vessels; but while they were in port, British armed vessels arrived, and captured or destroyed them all. Insurance was ordered to be made in St. Eustatia, on many of these vessels, which were loaded and ready for sea, to the amount of forty or fifty thousand dollars; but whether it was ever made or not, I have no means of knowing; or if made, who received the benefits thereof.

His industry and enterprises continued to the end of the war, and several of his valuable vessels were taken by the British, after the right to capture had ceased; but, for reasons which will hereafter appear, they were never obtained by him, and if obtained by his administrator, (hereafter to be noticed,) have not been accounted for. It has been admitted by Judge Johnson, that he had transactions in North-Carolina with some army agents, and having given them great satisfaction, and excited in them a high respect for his character and honor, they requested him to make proposals to General Green, to supply the army with clothing. After some delays and suffering of the troops, a contract was

made, under the examination and approbation of General Green, and was fully complied with on the part of Banks; so that General Wayne and many others acknowledged that they had never before seen an army so well clothed. Here follows an extract from General H. Lee's Memoirs, page 450:

"Among the adventurers, who, about the end of August or beginning of September, made their way into Charleston, was Mr. John Banks, of Virginia. This gentleman, no doubt with permission, after a short stay in town, visited the American army. Here he was introduced to General Green, and well knowing the condition of his countrymen in arms, and also convinced of the General's solicitude to relieve their sufferings, he offered to procure and deliver whatever might be wanted. Green having been, as before mentioned, authorised by the superintendent of finances, to enter into contracts for supplying the army, did not hesitate in accepting Banks' proposal, and a contract was arranged with him, for the requisite clothing, to be delivered on the evacuation of Charleston. This was the first opportunity which was presented, for effecting the long wished for object. It was embraced with avidity, and Mr. Banks completely executed the contract, at the designated period, to the joy of the General and army."

All the writers of the Southern War agree in this, that the army, as well as the country generally, were in the greatest distress for clothing, as well as other necessities; and those who treat of the details of those distresses, as they relate to the army, admit that they were removed by the enterprise, capital and credit of Mr. John Banks. General Lee, who was an eye witness of those things, and was moreover a personal acquaintance of Mr. Banks, has given the foregoing sketch, which is an honorable memorial of Mr. Banks' services and merit. But Doctor Charles Caldwell, when he wrote his fables and rhodomontades, in his work called the Life of Green, has, for the purpose of establishing his work, and giving the greater splendor to the fame of Green, published false and groundless charges against Mr. Banks, for which he could not pretend to offer the slightest excuse, except to say that he derived some verbal information from Judge Pendleton, a person who was not less known as a fabricator and publisher of falsehoods, than he was known for an orderly, genteel and decorous deportment in society, in convivial parties, and at the toilet. Why Doctor Caldwell, who had borrowed so much from Lee's Memoirs, should, upon this particular, have dealt in romance, will ever remain among the secrets or mysteries which he cannot or will not develop. Let it suffice, that his tale, upon this subject, is malicious, false and groundless, and is contradicted by the foregoing quotation.

But, iniquitous as were Caldwell's rhodomontades, they bear no comparison in turpitude, to the studied, systematical falsehoods contained in the second volume of a work published by Judge William Johnson, who has incumbered his folios with such fabrications and romances as a writer of novels, having regard to the probabilities of human life and human transactions, would have been ashamed to utter. For my own individual purpose, it might be enough to say, that they are groundless fabrications; but I think it my duty to the deceased, and my province as an investigator and reporter upon his several data, to give publicity to what I know and believe; and for that purpose, I have thought fit to present to his view and consideration, a biographical sketch of Mr. John Banks of Virginia, who has been honorably mentioned by General Lee, odiously by Doctor Caldwell, and most exceptionably, falsely and criminally by Judge Johnson.

This notorious fact, in connexion with other services rendered to General Green, the officers, the army, and the public service in general, induced General Green to make a public acknowledgment, soliciting that the same John Banks would also undertake to supply the army with provisions; which letter was couched, as far as can be remembered, in the following terms: *The comfortable condition in which you have placed the army, demands our warmest acknowledgments; but great as all our other obligations have been to you, it will be greater than all the rest, if you now will undertake to feed the suffering soldiers.*

Thus flattered and allured, Mr. Banks was induced to give due attention to the solicitation of General Green. He was invited to, and resided at head quarters, as an inmate of General Green's family. While at head quarters, he had entered into mercantile partnerships with two of General Green's most confidential aids and friends, Major Ichabod Burnet, of New-Jersey, and Major Robert Forsythe, of Fredericksburg in Virginia, the latter of whom had been acquainted with Mr. Banks from his boyhood. These partnerships were not to be divulged until after the evacuation of Charleston, then expected; but before the contract for supplying the army was fulfilled, a letter from Banks to his partner, Hunter, who resided at Fredericksburg, had been opened, and promulgated these matters; and General Green was censured, under the allegation or suspicion that he was also concerned; but the matter being investigated, it was satisfactorily ascertained, so far as Mr. Banks had any knowledge, that General Green had no interest in any of his concerns or contracts.

This contract being closed, Mr. Banks entered upon his duties with his usual zeal and industry, and encountered many difficulties and destructive losses therein, several vessels laden with provisions from Virginia and North-Carolina, being captured in the passage, by the cruisers of the enemy, subjected the parties to great losses.

Charleston was shortly afterwards evacuated, and the American army took possession. The partnerships of Banks with Burnet and Forsythe, were then announced; and an extensive retail store was opened in Charleston, under the firm of Robert Forsythe and Co. and another concern was denominated Banks, Burnet and Co. the partners of which were John Banks, James Hunter, Ichabod Burnet and Robert Forsythe; and it was conjectured and propagated by wide circulating report, that General Green was concerned in the contracts and companies. The suspicion was founded upon the interest of his two aids, Burnet and Forsythe, who had neither capital nor credit, except as they had thus obtained them. So far as related to John Banks, General Green was not concerned; but whether he was or was not a dormant partner of Burnet and Forsythe, was never ascertained; but there were, and yet are, many circumstances to induce the belief that he was their *secret partner*. As Mr. Banks died in August 1784, at Washington in North-Carolina, and General Green soon afterwards obtained the entire possession and legal control of all his papers and effects, he and his successors have therefore had, from that time to the present, the only means of development.

After the contract for supplying the army had expired, and the army had been disbanded and returned to their homes, Mr. Banks devoted himself to the settlement of his affairs in Charleston, with an intention of returning to Virginia, and again residing at Richmond; and to this purpose, all his conduct, as well as his avowed intentions, obviously tended.

In the latter part of June, or early in July, Mr. Banks arrived in Petersburg in Virginia, where large debts were due him, and by *express* requested my immediate attention at that place. I accordingly hastened to see him. He then fully communicated to me his situation and intentions, and requested that I would, by writings, enter into engagements to indemnify General Green and Captain Carnes, who had become his securities in Charleston, assuring me at the time, that I should incur no risk. He also stated, that he would immediately return to North-Carolina, where he expected to see General Green, and from thence would return to Virginia. He accordingly did return, and in the latter part of August following, he died at Washington in Carolina.

From Washington in North-Carolina, where Mr. Banks died, General Green and Captain Carnes hastened to Richmond, and brought with them the first intelligence of his death. They had obtained the written guaranties to themselves, (which probably brought them to that place,) and on their arrival at Richmond, presented them to me for a more formal authentication, with which I was induced to comply, upon the assurance made by Green and recommended by Col. Edward Carrington, that he would immediately close the administration, and give up all pa

pers and assets to me; and upon the further assurance, that he did not believe that there would be much, if any deficiency. My guaranty was predicated upon a confidence in these facts, impressed upon me by General Green and Colonel Carrington.

Thus died, in the bloom of youth and usefulness, one of the most indefatigable and enterprising young men that ever existed. He had been engaged in mercantile pursuits about four years, three of which were intensively devoted to purposes and pursuits which were necessary and beneficial to the public interests of his country. The last year of his life was devoted to the settlement of his multiplied and extensive concerns in North and South Carolina, with an intention of returning to Virginia and residing at Richmond; but the hand of death, which deprived him of life, imparted a shock to his family, which has never been surmounted. It soon after became fashionable for the friends of General Green to calumniate Mr. Banks, in which they were the more successful, because, by the surreptitious examination of Green, already mentioned, they had obtained full control of all his effects, real and personal, books, papers, and his correspondence; even his private family letters, having no relation to business, have been exposed in public offices, and withheld from his relations, in the hope that malignity and iniquity might find something on which they might feed and delight.

Although I have been fully sensible of the iniquity of such proceedings, and foulness of the calumnies which have been circulated, it has not been in my power, until now, to make even an effort to meet his accusers; and for the opportunity of doing this, I am indebted to Judge William Johnson, of South-Carolina, for his books, although written for the purpose of giving the finishing blow to Mr. Banks' character. These ponderous volumes, containing a thousand pages, (some of which are true,) put it in my power to say, that the efforts of the Judge will recoil upon himself, and defeat his own purposes.

I shall now, for the present, take leave of Judge Johnson and his history, with the final declaration, that no private man in the United States caused so much injury to the public enemy, rendered so much benefit to his country, or sustained so much individual loss, as John Banks. His losses consisted, in all his patrimony, all the profits of an extensive business and adventures in Virginia, North-Carolina, South-Carolina and upon the ocean; and finally, while yet a young man, of fine person and promise, good education, elegant manners and virtuous deportment, he lost his life far from his native State, home and friends. And for all his devotion, services, virtues and losses, he has received the vilest calumnies, and it has now become my pious duty, to relieve his reputation from imputations of which he was not only innocent, but incapable. General Green and family have been rescued from

pauperism and insolvency, by the efforts and means of Mr. Banks. They have lived in affluence; they have got all that he had, and much which ought to have gone to others; and they now endeavor to consign his name to execration and odium. While, on the other hand, his own friends and connexions have obtained nothing but sorrow and vexation; and one of them, the writer of this memoir, has paid, on voluntary and confidential assumptions, very large sums of money, under heavy embarrassments.

It appears from Judge Johnson's book, that there existed, between Green, Forsythe and Burnet, the utmost harmony and friendship; although, he says, there was a temporary coolness about the promulgation of the partnership, it soon subsided, and they found their own salvation depended upon the secrecy of their affairs. There is no doubt in my mind, but that they directly or indirectly combined to promote Mr. Banks' destruction. Burnet had gone to the Havanna, with at least \$30,000, first cost, of merchandize; and Forsythe was at the head of a magnificent mercantile establishment at Charleston, with a capital of at least £20,000 sterling. These capitals were obtained from Banks' resources and credit, and in part consisted of those sums for which Green was the security, which will be hereafter noticed. It appears also, from the same authority, that after Mr. Banks' death, the *brother* of Burnet, (he having also died at the Havanna,) and likewise *Major Forsythe*, rendered General Green the greatest services; but what they were, has not been explained. There is no doubt but that he received the benefits of those goods at the Havanna, and an equal amount from Forsythe. It is also said, that Green received assistance from Banks' relatives; also, effects, debts and mortgages; but how much, where and when, are not stated.

To complete this drama of iniquity, it is only necessary to state, that according to the best of my belief, Green was Banks' security only in four cases: 1st, To James Warrington, a British merchant. For this Green was released by Banks himself. 2d, To Newcomen and Collett, which was paid by the United States. 3d, To Harris and Blackford, paid by the same, in the year —, on the petition of Catherine Green. 4th, To John W. Queen, for which an estate on Cumberland Island, of land and negroes, was mortgaged, and which has been possessed and enjoyed by Green and some parts of his family, from 1784 or 1785; which debt was used as the pretence of discharging the aforesaid debt of Harris and Blackford, so that Green's representatives have obtained the land and negroes on Cumberland Island for nothing.

If this explanation be a true one, then General Green's heirs have been entirely released from all his engagements, and have enjoyed, neglected or wasted all the effects, debts, rights and

claims of John Banks, and those partners who were equally bound with him in those debts, to wit, Burnet and Co. Forsythe and Co. and Hunter and Co. These matters shall be the subject of further publication.

The following are the names of the persons who, by some means or other, obtained from John Banks or his concerns, (previous to his death,) in Virginia, and North and South Carolina, the sums annexed to their names:

Smith, Bowdoin and Hunter, (who were half interested in the house of Hunter, Banks and Co.) drew out of the concern, about	\$50,000
Peter Minor, of Petersburg, acting under the firm of Peter Minor and Co. a protegee of James Hunter, about	20,000
Alexander Philips, the brother-in-law of James Hunter, who first resided at Manchester, afterwards at Portsmouth, say	10,000
John Brown, at Richmond, acting under the firm of James Hunter and Co. a branch of Banks, Burnet and Co. unknown, but supposed to be at least	10,000
Erasmus Gill, [late a Captain of Cavalry under the command of General Green, a brave and good officer, but an idle, disreputable and extravagant man. He was a particular acquaintance of Major Burnet, and a favorite aid of General Green.] about	12,000
Daniel Hopkins, of Connecticut, brother of Major David Hopkins, an officer in the army,	15,000

All of these were unsettled matters at the time of Mr. Banks' death. Smith and Bowdoin paid debts, expended money, and made provision for their families, with what they had in their hands, on the pretence that their names had given credit to the house and transactions of John Banks, and that they ought to have adequate profits, of which they made themselves the judges.

Hunter purchased a valuable tenement in Portsmouth, at the point called Agnew's, under the pretence of a benefit for the company; but he caused a deed to be made to a Mr. Spence, his wife's brother. This property was afterwards sold for a large sum of money, and the proceeds were vested in estates in Georgia, for the benefit of Hunter's children; which estate, thus obtained, having emanated from Bank's Carolina business, should have inured, and should now inure to the payment of Newcomen and Collett, and Harris and Blackford, and to the benefit of Banks' representatives, as if the titles thus obtained were vested in them.

Some of the bills drawn by General Green on Robert Morris, (which will be hereafter noticed,) were used in paying for this property, at a time when it was believed that the same was purchased for the company. It is likely, that Hunter and family

made themselves independent in Georgia, by these and other like doings; Smith and Bowdoin, by snatching what they could, and holding what they got. The triumvirate could not have secured and divided among them less than \$100 000.

Hunter's man, "Brown," removed from Richmond to Petersburg, and there entered into a partnership with Minor and Gill, called Minor, Gill and Brown; and under the pretence of being merchants, devoted themselves more to pleasure, dissipation, drinking, horse-racing and other gambling, than any other establishment or individuals having the command of capital, that ever existed. In truth, the capital of dry goods exposed to sale was so wasted, or so injured by negligence, that the concern soon sunk. Gill and Minor married; lived sumptuously, and totally failed. Brown lost his senses, and all of them became bankrupts or insolvents. Banks' visit to Petersburg was for the purpose of seeing them; but they chose not to see him, and were therefore absent.

Daniel Hopkins went to the West-Indies, and being devoted to every species of extravagance, soon died a bankrupt, as it was reported.

When John Banks came to Virginia in 1784, such was the situation of his affairs, and such were his prospects and rights in Virginia, at the time he died, which was in August 1784; at which time General Green became the administrator of his concerns. All these things I knew, and also knew that Mr. John Banks had a large demand against Thomas and Titus Ogdén, of Newbern, between fifteen and twenty thousand dollars, and many other claims of debts and property in vessels and unsettled adventures in North-Carolina. Col. William Blount was known to be the dormant partner of the Ogdens, and being authorised by Green, as his agent, no doubt gave them an acquittal; and there is the more reason to believe this, because, although Blount was a man of very slender circumstances, he soon afterwards became the purchaser of large tracts of vacant land in North-Carolina and Tennessee.

I also understood and believed, that the goods purchased in Charleston before the evacuation, for which Green had become security, (and which, after the evacuation, had greatly advanced in value,) were worth at least \$200,000; that they had been parcelled out to Burnet, under the firm of Banks, Burnet and Co. to Forsythe, under the firm of Robert Forsythe and Co. to James Hunter, under the firm of James Hunter and Co. and to another of Green's aids, Major Pearce, under the firm of Pearce, White and Call.

I knew that Burnet and Forsythe were partners in the contracts for the army, and had received, used and appropriated many of the bills drawn by Green upon Robert Morris for that purpose, and that power still existed in some of them, to finish the business, when Banks departed from Charleston and came to Virginia.

I knew also, that Banks was entitled to estates of lands and slaves, and particularly to one third part of Cumberland Island, with more than one hundred slaves, now occupied by some of Green's descendants; so that I did not consider myself as running any risk, when I at first gave a written guaranty, (which was delivered to him at Petersburg, and was found among his papers by Green,) or in executing another more formally to Green himself, on his arrival at Richmond, for a heavy sum, far beyond my own resources. But I had relied on the honor and resources of John Banks, and secondly, on the same resources and the honor of Green; but I was deceived. Green's character at that time stood high and fair; his assurances and promises were most satisfactory, and rendered more so by the assurances of Col. Edward Carrington; and I relied on him when he said, that he had reason to believe that he had ample indemnification, and would soon release to me, as heir at law, all the books, papers, rights, credits, &c. &c. which he had obtained as administrator. Fatal delusion! I will now say, that Green at that time intended to play a false game; to appropriate, obscure and destroy all John Banks' affairs, and deceive me also. I form opinions by the results, and what I have since discovered, and these show that no friend or relative of John Banks ever derived one dollar from his estate; that I have paid, as his guaranty on other accounts, about \$100,000, and was sued for the benefit of the United States, by the executors of Green, for the enormous amount of \$80,000 more; in relation to which, I filed a bill in chancery, in the circuit court of the United States, which was never answered. The matters relating to these suits, will appear in the archives of the aforesaid court at Richmond; and there yet remain some other claims, which will follow me to the grave.

On the other hand, I know that Smith, Bowdoin and Hunter have shared not less than \$100,000. Burnet carried with him to the Havanna, a large amount of goods, not less than \$30,000 cost. Forsythe had a great establishment at Charleston, which was devoted to Green, and reared his family in rank and affluence. That Green resided upon Banks' estate on Cumberland Island; that he lived in splendor and open hospitality, and died leaving his family worth an immense estate; that he cleared off the enormous debts by which he was oppressed; that he gave vigor to his interests in the hands of Jacob Green and Griffin Green, of Rhode-Island; and after all these things, he engaged in a new and losing trade to Bourdeaux, in partnership with the same Jacob and Griffin. Although I am not possessed of the details of these matters, yet Judge Johnson, in the paroxysm of enthusiasm, and panegyric, has exhibited them all. Now let him tell where else Green got the capital, except from the affairs of John Banks, and Hunter, Banks and Co.

GENERAL NATHANIEL GREENE.

This distinguished man was born in Rhode-Island. His father was the leader or preacher of Quakers, had a large family of sons, was an anchor-smith by trade, and raised his sons to the same calling. Being poor, and solely dependant upon personal industry, their educations were greatly neglected; but Nathaniel was formed in manners, and prepared by education, to be his successor over the flock. He also seems to have had an instinctive solicitude to obtain, not only education, but extensive information by reading. This desire was early and unceasing. His solicitude was so great and continual, that his efforts, notwithstanding his daily laborious duties, enabled him to surmount all obstacles, and to acquire a high standing, even among men of letters, early in life, and to continue to improve and acquire fame and influence among his countrymen. At length, the spirit of opposition to the encroachments of British authority, excited discontent and opposition. On this new theatre, Greene distinguished himself with so much zeal, and so far surpassed all others, that he was chosen to command the contingent of 3,200 men which were furnished by Rhode-Island, and sent to Boston, to oppose the common enemy, the British. He again distinguished himself as an officer, and was made a major general in the service of the United States, and in a short time afterwards accepted the office of quartermaster-general; but with condition, that he should command his division in the line, should it be called into actual service.

In the discharge of these duties, he gained many friends, and no small number of enemies, who reviled him with much censure and invective, charging him with peculation; so much so, that he was induced to withdraw from that station, and solely attach himself to his military command. He was, soon after the defeat of General Gates in Carolina, which happened in June 1780, appointed to the command of the Southern army; and having taken command of the shattered remains of Gates' routed army, which had been destroyed and ruined by his own unfitness to command it, took every honorable means to soothe the feelings of Gates, who had been his personal enemy, and finally succeeded in saving Gates from the public disgrace which many thought he deserved. But I am now of opinion, if Gates had continued in command, his abilities, with more firmness, would have enabled him to have re-

tered his character; and with the aid of Generals Morgan, Pickens, Sumpter and Marion, and the Legion of Colonel Lee, which soon after arrived, to have encompassed, fought and captured the British army, and terminated his career in glory.

Greene was not only industrious, but indefatigable to form and reform his dispirited troops; but very few of them were again collected—too few to make active opposition to the British troops, then commanded by Lord Cornwallis, one of the best generals in their service.

Some time before Greene obtained the command of the Southern army, General Morgan, who was then at the head of a small detached force, less than 1,000 men, was pursued by the celebrated bloody Tarleton, with a much superior force. Morgan, being overtaken, and finding that he could not avoid a battle, drew up his men for that purpose, on an open piece of ground, depending upon the valor and firmness of his men, their confidence in him, and his own resources. Tarleton came on, and commenced the action in the fullest confidence of success. Morgan, after a slight opposition, made a feint of retreating. The enemy were deceived, and pursued in broken lines, believing a victory was obtained. Morgan immediately rallied, and, aided by a charge of cavalry under the gallant Colonel Washington, completely defeated the vain glorious Tarleton, and captured a greater number of the enemy than remained in his command, after keeping up the proper videts, &c. Morgan was pursued for several days by Lord Cornwallis, but was not overtaken. At length he saved the prisoners, and treated them with the greatest kindness; but it has been said, that, sooner than suffer them to fall into the hands of the enemy, General Greene had determined that they should be put to death.

General Greene soon after hastened to, and took the command of Morgan's little army, and the direction of his movements. Morgan soon afterwards withdrew from the service; and it is said, was so much disgusted with some unnecessary and improper interference with him as the commander, that he never could be induced to serve again.

General Morgan had distinguished himself as a valiant and able commander, from the commencement of the war to the battle of the Cowpens, which exceeded, in brilliancy and valuable consequences, any victory, with so small a force, that was ever gained, at any time or in any country. This victory was not only great in its consequences, but gave a revival to the desponding spirits of the army of Gates, so lately and so signally defeated.

Certain it is, that Morgan withdrew; and it was then believed, that his abandoning a command for which he was so well fitted, in the full career of success and confidence, even to adoration, was occasioned by the conduct of General Greene. Greene's injustice

to Morgan was afterwards strongly manifested, by his receiving as a donation from Congress, two field pieces. At the battle of the Cowpens these two field pieces were taken by Morgan, which were afterwards awarded to Greene, by Congress, totally disregarding the valor of him by whom they were taken. They also awarded him a stand of colours taken from the British, to which he had no better right.

After the battle of the Cowpens, Greene manifested, upon all occasions, great devotion and industry; collected troops, (mostly militia,) and likewise manifested great solicitude for battle and military glory. Nor does it appear that he failed in any duty, or otherwise erred, except in an over zeal for personal renown and military fame. Whether this proceeded from a confidence in himself, or an invidious feeling towards the high fame of the immortal Morgan, cannot be stated; but it is certain, that he sought with too much avidity, the precarious issue of battle, and thereby hastened the deaths of many brave officers and soldiers, and upon several occasions placed himself in situations which required the most daring and invincible courage of his best troops. By such means his force was greatly and rapidly diminished, and both Virginia and Maryland had many causes to deplore the military ardor or want of skill of the commander.

These observations are suitable to the general aspect of his command, but were particularly manifested in the celebrated battles of Guilford Court-house, Hopkirk Hill, Eutaw Springs, and the fortress of 96, where, although the issue of the conflict ought to have been in favor of the Americans, the army lost many brave officers and soldiers, in untimely battle and by superior adverse skill.

All these battles, and particularly that of the Eutaw Springs, might have been avoided, and would probably never have been fought, if the lives of brave men had been deemed of more value than his own military glory.

As Cornwallis, with his army, had been captured at York in Virginia, and Lord Rawdon, next in command, had withdrawn, the British army was then left under the command of a lieutenant colonel, Stuart, and it might have been presumed, as was the intention of the British, that the war would have been drawn to a close. There was a strong reason to believe in this, because letters had been intercepted by the Americans, which were known to General Greene, that a considerable body of recruits from Europe, then on their passage, were ordered not to land at Charleston, but to proceed to New-York, which was the head quarters of the British forces in the United States. The orders not being received, the troops were landed and marched into the country; and before the orders were known by the British commander, the garrison of Ninety-six was relieved, and marched away, and form-

ed part of the force in the battle, the bloody battle of Eutaw, which was soon after fought. But General Greene did know that these orders did exist, and he ought to have spared the effusion of blood, and particularly of those men who so bravely seconded his plans, and had given him so much renown. He knew it from some public letters which were taken by one of the vessels of John Banks, which were forwarded to him.

Besides the unnecessary waste of blood, and the ungrateful and wanton sacrifice of brave, patriotic and devoted troops, several discontents and disgusts ensued, by which the service lost several brave and distinguished officers, among whom were Generals Sumpter and Marion of Carolina, Morgan and Stevens of Virginia, and Lee, &c. of the Legion; men who, throughout the war, had greatly distinguished themselves and served their country.

It is not in my power to give accurate data for these disgusts and secessions; but there are many reasons to believe, that Greene envied them the full opportunity of terminating their military career with the close of the war, which was then approaching to its termination; and as a means of effecting his purpose, he gave a command to General Gist, who superseded Sumpter and Marion, and another to Col. John Laurens, which placed Lee under his command, because he had the elder commission.

The war, then under the new organization, was prosecuted with great vigor and much personal devotion, in which many brave men lost their lives; and among them, was the same Col. Laurens, who had just arrived from the drawing-rooms of Europe, and was put in command over many gallant men, (among whom was Colonel Lee,) to enable Laurens, as their commander, to gain distinction.

Before this time, Colonel John Laurens, a native of South-Carolina, had come to Greene's camp, and being an accomplished man, a favorite of Washington, and son of John Laurens, the late President in Congress, Greene suffered motives of partiality and personal policy to supplant and overleap all regard to justice, of gratitude, and of reward to the meritorious, and put Lee and his Legion under the command of Laurens, who was older in rank or in the date of his commission. Before this time, Lee had always commanded the Legion as a partisan corps; the officers and soldiers knew each other personally, and had formed mutual confidence in each other; so that by this act Greene would have rendered a great injury to the service, if it was not evident to every one that the war was drawing to a close; that the British intended to evacuate Charleston, and to leave the country, and would not, as a matter of choice, have wasted the lives of their valiant troops, either at Ninety-six or at Eutaw Springs, if the military and blood-thirsty disposition of Greene had not compelled them to resist and defeat him.

Laurens soon after was surprised at the head of some of those brave men, and most rashly, bravely and foolishly lost his life, together with many of the men who were with him; and Greene, while he condemned him, lamented his death, even as David of old had lamented the death of Abner, whom Joab slew by stabbing him in cold blood under the fifth rib, when David exclaimed that Abner had died like a fool dieth, and then swore vengeance against Joab.

Soon after the Legion was put under the command of Laurens, Lee withdrew in disgust; Major Eggleston followed, and Major Rudolph and the other officers resigned; but were afterwards induced to resume their commands in the cavalry and infantry, which had been before generally united, but were now separated, and the pride of the corps, which Green had previously called his Spartan Band, was broken and humbled.

Laurens was also eulogised and greatly complimented by Alexander Hamilton, who, as has been shown, had been the calumniator of John Banks. How much I valued his eulogy on Laurens, may be weighed by a knowledge of his enmity against John Banks.

I do not hesitate to acknowledge, that Laurens was a brave, honorable, patriotic soldier, and an accomplished gentleman; but was no more fit to have such a command, than Judge Johnson and Doctor Caldwell were fit to be honest, honorable, truthful and impartial historians. Perhaps there was never so great a contrast between men in exactly the same duty. The first, to wit, Colonel Lee, in many years' active and dangerous service, neglected no duty, and committed no blunder. Laurens, who was wantonly placed over him, was all fault, blunder, impetuosity, military insubordination and ignorance; all of which were smothered and cloaked by General Greene. On the evening before Laurens' death, he was in company with some ladies near the lines, and informed them of the intended conflict on the next day, and proposed to erect a scaffold, that they might see it; but before the hour which he had selected, he was surprised, &c. &c. as has been stated.

General Gist, who was put into command over the gallant and distinguished Sumpter and Marion, though perhaps more prudent, was not better qualified to supplant such men as Sumpter and Marion, than Laurens was to be put in authority over Col. Lee.

The cavalry officers, and particularly of Lee's Legion, became discontented, and murmured. Many of these brave men had risen by their valor and enterprise in the use of the sword; and having no dependence except their commissions and what was due them, could not withdraw.

Greene was no doubt dissatisfied with that independence of character, to which they were entitled by honors won by their

bravery, and therefore made it necessary for the officers of the Legion to suspend their complaints or withdraw. Among these, was the brave and distinguished Major Rudolph, who deserved and expected the command of the Legion, upon the departure of Lee; but the alternative of obedience or resignation, was presented for his consideration. His situation dictated the choice, and he yielded an unwilling and unjust submission to the sway of Laurens.

About this time Greene gave an atrocious insult and affront to Captain James Gunn, of the cavalry, viz. It had long been the practice of the cavalry officers, when they lost a horse in service, to supply his place with one belonging to the public. Captain Gunn, who had risen from the ranks, having lost his horse, appropriated a public horse to his use. General Greene, wanting this fine horse for his own use, ordered the horse to be delivered. Gunn refused, and a court of inquiry was called for the purpose of disgracing him. Upon a full examination, Gunn was justified and honorably acquitted. But he did not forget the injury and insult. He, some time after the termination of the war, having acquired wealth by marriage, and rank in the civil offices of Georgia, challenged Greene; which, after much hesitation, was not accepted. Greene appealed to General Washington, who favored the refusal. Gunn then resolved, on the first opportunity, to chastise Greene ignominiously; which many thought preyed upon his mind and hastened his death.

Captain James Gunn was an obscure, friendless orphan, at Richmond in Virginia, and was an apprentice to a carpenter, a good whig, whose name was Barret Price. This I mention to his honor. Young Gunn was anxious to become a soldier; his master consented, and he commenced as a private, and soon won his way to the command of a troop of cavalry. Perhaps there was not a better soldier or officer of his rank in the world. He was not only brave without fear, but of great personal strength; and it is believed, that in the course of his duties he did not destroy or capture, by his own prowess, less than fifty of the enemy. Except his commission and character, he was poor and friendless. There never lived a man more worthy of a good charger; and even if the horse was properly a public horse, the god of the service and a suitable concession to such an officer, ought to have been his insuperable advocates. Capt. Gunn was afterwards highly honored by the State of Georgia, and became a Senator of the United States, which high station he filled when he died. Such was the man General Greene would have destroyed and disgraced, if he could, for an act which was necessary, justifiable and customary.

I have thought it necessary to say something in favor of my countrymen, Morgan, Lee and Gunn, each of whom I personally knew and highly respected. I shall now add, that I am firmly of

opinion, that had the Southern war been committed to Morgan, Sumpter, Marion, Pickens and Lee, it would have terminated much sooner, with equal benefit to the country, and with much less sacrifice of men, means and treasure.

I shall now proceed to the main purpose for which these pages have been written, to wit, the vindication and exculpation of my departed friend and brother, who died in August 1784, at Washington in North-Carolina, one hundred miles from Charleston, and not after being pursued four hundred miles with *saddlebags and pistols*, as *falsely* alleged by Judge Johnson; whose grave has been opened, whose ashes have been disturbed, and whose spirit now roams abroad and asks for justice. Confident that justice is due, and indulging in the hope that I may be the humble instrument of its promulgation, I enter upon the duty with pleasure and alacrity, and trust that the guardian angel of injured innocence and calumniated virtue will direct my thoughts and guide my pen.

The general disgust and discontent of the Virginians, and particularly the cavalry, may be deduced from a few prominent and well known data. General Morgan, who was as well the idol of his soldiers as the terror of his enemies, had retired from service, after continued scenes of splendid successes, from Quebec to the battle of the Cowpens. Colonel Lee had withdrawn, evidently disgusted by deliberate ill treatment. Majors Eggleston and Rudolph, and all the other officers of the Legion, manifested discontent; and an attempt having been deliberately made by the commanding general, to disgrace and cashier Captain Gunn, another Virginia officer, gave rise to the mutiny of a part of the cavalry, headed by Sergeant Dangerfield, another Virginian, with the total defection of more than one hundred cavalry, who retired to Virginia, and there reported and surrendered themselves to the government. And all this was done by reason of being treated in the most flagrant, unnecessary, injurious and unjust manner, to provide commands for Greene's favorites, General Gist and Colonel Laurens, both of whom were employed with considerable forces, under the pretence of preventing the enemy from foraging and getting provisions by purchase; but in reality to give them an opportunity of acquiring some celebrity as enterprising military characters, with an enemy that had proposed, on the simple condition of purchasing provisions from the planters, to consent to an armistice. In one of these rencounters, Laurens, with many killed and wounded, lost his life; and Gist, who was not inclined to acquire laurels at so great a risk and loss, postponed, without much complaint, to gain his honors on a more suitable occasion.

The officers and soldiers who had waded through blood and surmounted many difficulties, could not fail to see the real intention and purposes of these contrivances; that two or three men

were to obtain glory in unnecessary conflicts, whilst the hardy veterans were doomed to perform the services of gladiators, for the glory and amusement of popular upstarts. (See Johnson's account of the death of Laurens.)

Was it reasonable to expect that officers and soldiers equally brave and honorable, would long bear such injustice and ingratitude, and that they would consent to devote their lives for such dishonorable purposes? They were dissatisfied; some officers retired, others loudly complained, the soldiers mutinied, and totally abandoned the army and State. What rendered this gladiatorial war far more remarkable, was this important consideration: While this war was going on, John Banks, by the permission of the government of South-Carolina, and at the same time from the British and American commanders, had free egress and ingress to and from Charleston and General Greene's head quarters, and by that means supplied the enemy with provisions, and the Americans with clothing from the British stores, while Greene's favorites were engaged in cutting throats. As Mr. Banks staid at head quarters, where he was invited by General Greene, and thus obtained an interview with him; as he formed partnerships with two of Greene's confidential aids, Forsythe and Burvet; and as he was a man without guile or guise, he must have presumed that Greene knew the entire plan of his operations.

For my part, I should like to see what extenuation or apology Judge Johnson can make for such self-evident, contradictory absurdities, and the wanton exposure and sacrifice of the lives of as brave men as ever existed, and to whom, for many hard-fought battles, Greene owed renown, gratitude, justice and protection. But after Laurens had lost, in killed, wounded and missing, a great part of his force, and was himself among the victims of his own folly, the appetite for such adventures abated, and many of the survivors, particularly of the cavalry, absolutely mutinied, and left the camp in the highest state of irritation and vexation. They nevertheless surrendered themselves to the government of Virginia.

After the lapse of so many years, I have felt a reluctance to unveil these long past transactions; but when such men as General Hamilton, Judge Pendleton, Doctor Caldwell and Judge Johnson, have devoted their pens, with unusual malignity, to traduce the character, and to give damnation to the fame of a brother, I feel the weight of the imperative mandate, emanating from the grave, to exhibit the truth, not only respecting him, but some others of my departed friends.

When, to all that has been said, I discover, that at the end of the war, Greene was reduced, by dormant partnerships with his brother and cousin, to the most abject sorrow and mental agony; when I know that he has obtained, under the legal claim of

administrator, all the fruitage of John Bank's patrimony, his enterprise, his industry and his economy, and in the course of two years secured to his family and friends at the least \$200,000, and restored nothing to Banks' family, friends and creditors, I cannot believe that all things have been properly done.

I now refer the reader to the letters written by Greene to his brother, one of which is reported in page 411 of Judge Johnson's second volume. It is introduced by him to show the poignant distress of Greene's miserable mind, and the ruinous situation of himself and his partners, Jacob and Griffin Green. This is followed by an extract from another letter, requesting their patience during the infancy of his affairs; that is, to allow him time to receive the harvest which he expected from the death of John Banks, and the entire possession and control of his affairs. At the very time when he wrote that letter, and for at least two years before, he knew that the allegations of the letter relating to the partners in the contracts, were false. He knew that the partners were John Banks, James Hunter, Ichabod Burnet, and Robert Forsythe; he also knew that he retained confidence in Burnet until his death, and in Forsythe until his own death, and that he was the secret partner of Burnet and Forsythe, and that they were partners with each other. He knew that he had got, by the administration on John Banks' estate, all that was his.

GENERAL GREENE TO MR. JACOB GREENE.

"Charleston, August the 12th, 1784.

"My heart is too full, and my situation too distressing, to write much; but from a wish that you may not feel more inconvenience than is unavoidable, I embrace the earliest opportunity to make you acquainted with my situation. You may remember I told you last winter of some heavy embarrassments which hung over me from becoming security for Banks, Hunter and Co. They being public contractors, and the feeding of the army depending upon supporting their credit, I was obliged to guaranty sundry of their debts. But that I might be secure, they engaged that all the contract money should go to the discharge of my guaranty bonds. This they have found means to avoid; and their affairs have grown desperate, and I am and shall be involved in heavy and unavoidable losses. And though it will not reduce me to a state of poverty, yet it will put it out of my power to do any thing for you and Griffin. Indeed, it will oblige me to sell a considerable part of my estate. My situation is truly afflicting! to be reduced from independence to want, and from obliging my friends, to a situation claiming their aid. You and Griffin must do the best you can, and God grant you better fortune! My heart faints within me, when I think of my family. I have only one consolation—it is not the fruits of extravagance."

The following are the remarks of Judge Johnson on the foregoing letter.

"The apprehensions which General Greene entertained from the discovery of Mr. Banks' conduct, in drawing the government bills from the hands of Mr. Petit, had been hitherto greatly alleviated, from two causes, the reputed solvency of the house of Hunter, Banks and Co. and his confidence in the integrity and friendship of Majors Burnet and Forsythe. But Burnet was now dead, and the deranged state of the company's affairs was well calculated to awaken all his fears. He resolved, however, to leave nothing untried, on which a prop could be founded; and as Banks had left the city with some precipitation, on his arrival, (for who can bear the eye that reproaches him,) he mounted his horse, and with his pistols, his saddlebags and his servant, resolved to overtake him. As the opinion was prevalent, that he still possessed the means of indemnity, there remained a hope, that the presence of the man he had thus injured, might extort from him the application of those means to his relief."

"The pursuit was urged over the same ground that Greene had traversed at the head of his army, and every step was calculated to awaken some painful recollection; but there were none so painful as his present reflections, and the distressing anticipations which crowded on his view. For four hundred miles the pursuit was pressed, and for that distance had Banks travelled with a fever burning in his veins. But the distance he had gained, had probably lulled his apprehensions, and the disease, irritated by travel, forbade his proceeding further. He was overtaken, but it was in the house that he breathed his last; and with a heavy heart the General retraced his steps to Charleston—in what state of mind, will be judged of, when he writes, "my distresses are sufficient already, to sink me almost under water; a little more and I am gone." This, for a mind so long schooled by adversity, and which had never before flagged under the severest trials, was expressive of his mental agony."

"But some relief was now derived from the exertions made by Major Burnet's family, to extricate the General from his present embarrassments. A brother of the Major's was expedited to Charleston, to adjust the affairs of the concern; and by his efforts, aided by the good will of Major Forsythe and of the relatives of Mr. Banks, a variety of debts, and some other effects of the concerns, were appropriated to the satisfaction of the creditors for whose debts the General had become liable, and some lands mortgaged for his further security. Thus, a gleam of hope, for a while, lighted up his prospects; but its duration was momentary. Every one knows the obstacles at that time existing to the recovery of debts; and while obliged himself to have recourse to legal process to recover from others, he was pressed by his own sense of

honor, and the desire of maintaining his reputation, to make every sacrifice to gratify the creditors. Thus was he kept constantly poor, harrassed and teased, while every shilling he could gather from his planting interest, went to pay the annual interest on these debts. He feelingly laments his situation, in a letter, to his friends: "Since my arrival here, I have written you nothing but the most melancholy accounts. I wish I had less reason than I have, to dwell on the same subject still. However, I am not as apprehensive as I have been. But it is a painful situation, to be held responsible for heavy debts, subject to all contingencies, and have your redress to look for from different people, and from various kinds of property. This will be my situation for some time to come. The gentlemen of the bar tell me I am safe; yet I cannot feel easy, nor ever shall, until I get entirely disengaged from this business. My wishes are very strong, to be helpful to all branches of the family; and if I am not distressed in the *infancy* of my affairs, I hope I shall have it in my power to serve you. But at present I seem to be in the dark; nay, I am in deep distress, and know not how to accommodate payments to the many demands upon me. I shall not return to the northward until I can get myself in a secure situation, respecting these guaranties. My own matters would be easy, were I not perplexed with other people's." Vol. II, chap. xix, page 411.

REMARKS ON THE FOREGOING.

Greene's letter to his brother Jacob, at the same time manifests the agony of his mind on account of his own distresses, a solicitude to appease his brother in his own deplorable situation, and a total disregard of truth. It states that he had become responsible on the credit of Hunter, Banks & Co. of Fredericksburg, in Virginia, in contracts for public benefit. Now it is a fact, that he knew the Fredericksburg concern of Smith, Bowdoin and Hunter, had been dissolved long before; that the persons for whom he was the guaranty, were John Banks, James Hunter, and his own aids, Ichabod Burnet and Robert Forsythe. He knew that Banks had given up the whole of the subject for which he was guarantee, to Burnet, Forsythe, and others, of General Greene's friends and aids. He knew that Burnet and Forsythe were partners from the beginning, though the business was done in the name of John Banks & Co.; and he knew then that it was suspected and by many believed, that he was interested, not with the shares of Banks and Hunter, but in those of Burnet and Forsythe. He knew at the very time when he complained of being deceived in regard to his own bills on Morris, that his letter did not contain the truth, because he knew that many of those bills had been used and forwarded by Forsythe to Hunter. He knew that Burnet had left \$20,000 of those bills at Richmond, and that a brig and cargo of tobacco

had been purchased with some of them by the direction of Burnet, which arrived safely in the West Indies. He knew that the refusal of Robert Morris either to accept or pay those bills, had produced great loss; and he knew that his own friend and agent, Col. Charles Petit, of Philadelphia, had appropriated some of them to an old debt due by Greene to him, when he was Quartermaster-General and Petit was one of his deputies.

All these data are worthy of the more notice, because Judge Johnson has said in the next page of his fabulous history, that Greene's indignation against Banks had been excited because Banks had deceived him in regard to those bills.

Johnson says, on the 412th page, that Greene having arrived at Charleston, Banks had, therefore, fled; that Greene pursued him 400 miles, with his pistols, saddlebags and servant; that Banks fled with a fever burning in his veins, which being irritated by travel, forbade his proceeding further; that he was overtaken, but it was in the hour when he breathed his last.

Now, reader, you will recollect that Greene could not have arrived at Charleston until late in August. It has been before stated, that Banks was at Petersburg about the first of July; that he there made some arrangements to indemnify Greene; that he had gone to Washington, North-Carolina, for the purpose of meeting Greene; that he died or was found dead in his room some time in August; and that Greene, after his arrival in Charleston, had travelled with pistols, saddlebags and servant, and arrived at the hour when Banks breathed his last.

I am of opinion that he was present at the hour of Banks' death, and having heard that Banks was found dead in the room where he was sick; that his face had a livid appearance; that he had walked about in the morning—that his death was occasioned by strangling; and as Judge Johnson has said that Greene was there at the hour of his death, and it has been stated that Greene got every thing that he had, including money, bills, notes and evidences of debt; that Greene became immediately afterwards the administrator of Banks, and has rendered no account of his administration, it will be impossible to remove the suspicion, that Banks either died by Greene's own hand, by the hand of his servant, or by some foul means, for his benefit. Unless Johnson means to produce the belief that Greene's determination was that Banks should die, why has he made such a parade about the pistols and servant?

It is my intention to say something more on this subject hereafter, unless it shall be my fate also to be doomed to death, as was the fate of my credulous and unfortunate brother. In the mean time, this short record may serve as the means of further inquiry.

Judge Johnson has said, Greene expected that the presence of the man he had injured might extort from Banks the application of the means which he possessed. Well, then, I have shown that as

Banks breathed his last at the hour of Greene's arrival, and that he thereby obtained all the means that Banks had with him, or possessed or claimed, the purposes of his journey were fully accomplished, not by extortion, but by death, succeeded by forcible possession and surreptitious administration.

Johnson goes on to say, that some relief was afterwards derived by the exertions of Major Burnet's family—a brother of the Major's was expedited to Charleston to adjust the affairs of the concern. Let it be remembered, that Major Burnet had gone to the Havanna, and had with him about \$30,000 in goods, and having died there, that his brother and Greene, as the administrator of Banks, co-operating with Burnet's brother, would have the right to receive the benefit of those goods; that he was aided by the good will of Major Forsythe, and also by the good will of the relatives of Banks, a variety of debts and some other effects of the concern, were appropriated to the satisfaction of the creditors to whom Greene had become liable. Now I here demand of Judge Johnson to say what was obtained from Burnet's brother? what debts and effects were received from Banks' relatives, which were satisfactory to the creditors, and how it happened that Congress were afterwards induced to pay the very same debts to the same creditors?

It is also stated, that Greene received some mortgages for lands, pledged for his further security. Judge Johnson is required to state what lands were mortgaged, what became of the proceeds of sale, or to say why they were not surrendered to the agents of Congress, when the last grant was paid?

The time has now come when these matters will be strictly enquired into, and as Judge William Johnson has placed himself in the very front of the accusers of Banks and the vindicators of Greene, and also holds the high office of Judge, it ought not to be expected that he will shrink from his duties as an historian, Judge and man of common honesty.

GENERAL GREENE'S BILLS ON ROBERT MORRIS, IN FAVOR OF JOHN BANKS & Co.

The public notice which has been taken relating to those bills, which were drawn upon Robert Morris by Gen. Greene, will be explained by the following facts: Robert Morris was the financier of the United States, with very extensive powers, but limited resources. The southern army wanted every thing. Greene stated the condition of the army to him, and the total destitution of clothes and provisions. Morris thereupon authorised Greene to draw bills upon him for such supplies or contracts as he might

make. A contract for clothing was made with John Banks, as has been stated; and when that contract was authorised, Morris, Greene and every body else who knew any thing about it, knew also, that no substantial supplies in the way of clothing, could be obtained, except from Charleston and by the means of flags, and could then only be obtained by an exchange of provisions delivered in Charleston, then much wanted by the British. Those exchanges were effected by John Banks, in a most satisfactory manner, and the army was well clothed. He had free egress and ingress, became domesticated at General Greene's head-quarters, and there formed more extensive contracts with Greene's aids, Major Burnet and Major Forsythe. Greene drew many bills, and for large amounts. They were delivered to Forsythe and Burnet, who transmitted them to Banks' partner, Hunter, at Fredericksburg, in Virginia. These transactions excited observation and suspicion, and Greene was suspected of being concerned in these exchanges. Forsythe, in preparing a packet to be sent to Virginia by a public express, containing many of those bills, and a letter from John Banks to Hunter, was overlooked, while writing, by Capt. Shelton, by whom his letter was read. Capt. Shelton was the bearer of the letter, and on his arrival in Virginia, he informed General Charles Scott, then in command, who having before suspected Greene of his commercial feelings and of dilapidation of public property, while Quartermaster-General, broke open the packet, and also opened John Banks' private letter to his partner, Hunter, in which the business was explained, by showing that Burnet and Forsythe were partners. He therein made a surmise, that he thought it probable that Greene would, after the evacuation of Charleston, become a partner. The whole matter became public, and was greatly exaggerated. Greene was much censured, and found it necessary to get a public declaration, on oath, from Banks, that he was not concerned with him; and although Judge Johnson says he was very angry with Burnet and Forsythe, he did not choose to require from them a similar declaration on oath, stating that he was not a secret partner with them. This caution and subsequent events, prove that he was either a secret partner, or controlled them to his purposes.

It seems that after John Banks' death, in 1784, Greene, by an administration, obtained the benefit of all his affairs, as has been stated, and Judge Johnson makes acknowledgments of the kindness and friendship of Forsythe and Major Burnet's brother, who had died at the Havanna, in possession of a large amount of goods. I now ask, where and how Burnet got them, and what became of them.

A charge has been frequently made against Mr. Banks, that after appropriating the bills which had been drawn upon Mr. Morris on account of the army contract, to General Greene's indemnity,

fication, as security to the British merchants, Banks, before his orders arrived, countermanded them. If this be true, there might be some justification to be offered in extenuation of Greene's conduct; but I do not believe it was true, and I will give my reasons. A large sum of those bills were sent to James Hunter, and were intercepted by General Scott, as before mentioned. Major Burnet carried with him \$20,000, subject also to Hunter's orders, and there also was designed to come into Hunter's hands, another large sum. I am confident that none of these sums were ever in Petit's hands, or in any manner controlled by John Banks, after they left South-Carolina. I cannot speak of other bills, except that Petit appropriated a considerable sum to satisfy a debt which he claimed of Greene, as deputy Quartermaster-General. Now, if Burnet and Hunter, two of the partners, had the bills and used them, which I believe was the case, why should Banks be censured? The truth was, Greene's friends wished to cast a censure somewhere, and they fixed it upon Banks, because, being dead, they could make out any story they pleased, and having his books, papers, correspondence, &c. there could be no means of exposing them. Yet it is in my power to show how nearly \$30,000 were disposed of, with the approbation of Hunter and Burnet, which never were in Petit's hands, and over which the much calumniated John Banks, exercised no sort of control, after Burnet and Hunter had them. Let the Johnsons, Caldwells and Pendletons, contradict this if they dare. Let them show how many of these bills were retained by Petit, how much was drawn out of his hands by Banks, in whose favor, when, and by what means.

Now, as Banks soon after died, and Greene obtained possession and control of his whole estate, it will be found that he indemnified himself, at least an hundred fold.

I shall now state what is in my power, respecting the bills in Petit's hands, and such as were not in his hands. It is admitted by Judge Johnson, that £8,000 were enclosed by Forsythe to Hunter, in the letter which Gen. Scott opened. What has since become of them? Did they pass into Petit's hands? I expect not. Hunter and Forsythe were neighbors and friends before the war, and so remained at the end of it. They were partners in the firm of Robert Forsythe & Co. and it is known, and can be proved, that a large amount of these bills was invested in real estate in Portsmouth, in Virginia, the title of which was taken in the name of Spence, (Hunter's brother in law,) and afterwards the estate was sold and the proceeds vested in Georgia estates, for the benefit of Hunter's children.

Major Burnet delivered, at Richmond, \$20,000 of those bills; and the fast sailing copper-bottomed brig, Comet, loaded with a cargo of tobacco that was purchased, was sent to the West-Indies, on account of Banks, Burnet & Co. The brig arrived in one of

the West-India Islands. The tobacco was applied, or ought to have been applied towards the debts due to the English merchants. The peace soon after happening, the value of the brig was greatly reduced.

Another brig was loaded with flour, and expedited to Charleston. What became either of vessel or cargo, is not known; but these brigs and cargoes were more than equal to the bills which Burnet delivered. Nothing can be said of the amount of bills which Petit had in his hands; but as these transactions were nearly simultaneous, Greene's friends may have ascribed the failure of expectations to the existence of facts, and, therefore, as Banks was dead, very *adroitly* and *wickedly* exonerated Hunter, Burnet and Forsythe, by a charge against the deceased, which suited all their purposes; and to this Petit and Greene would accord, because, as I have been told and believe, Greene himself owed Petit a large sum, in which, by the means of the bills that were in his hands, he indemnified himself; but what were the amounts either of the bills or the debt, is unknown to me. As to the matters relating to Philadelphia and other places, I do not vouch; and as to those which happened at Richmond, I do not expect that either of the Judges, Johnson or Pendleton, will have the effrontery to deny. Should these explanations be denied in part or in whole, I require of the ermined gentlemen to give details, particularly of the transactions in Petit's hands, of the sum he received, from whom received, how disbursed, how much was settled and discounted with General Greene, and on what account?

Now, as it so happened that Banks and Burnet died in 1784, Burnet having in his hands a large capital, which afterwards was appropriated by his family to General Greene's use; as Forsythe and Greene continued intimate friends; as Hunter withdrew, for the use of his family, a large sum; as General Greene was personally a bankrupt, and rendered so by his secret partnerships with his brother Jacob and his cousin Griffin, which partnerships he still supported, and as Judge Johnson says, eventuated in total loss; and as General Greene obtained by administration all Banks' effects and estate, both real and personal; may we not presume, that he indemnified himself from Banks' affairs, and that finding his wants and accommodations still greater than *they* would supply, that the last prospect was to obtain from Congress payment for these goods, for which the bonds were given, the greatest part of which had previously inured to Burnet, Forsythe and himself, as an *omnium gatherum*. How else are we to account for the losses in trade; the indemnifications, restoration and wealth of the bankrupts, Jacob and Griffin; the expence of his family; the sumptuous display in living, and the great estates now owned by his children; and particularly the valuable estate in Cumberland Island, which belonged to Banks when he died? It is well known

that General Sumpter and Major Pearce Butler opposed the grants made by Congress, from what they knew; but the siren fascinations of male and female blandishments, of which General Hamilton and Mrs. Greene were both very capable, caused the applicants to succeed, and thereby secured to a plain, humble quaker family, who had been literally bankrupted in trade, wealth and splendour of the most magnificent order. To effect which, it was first necessary that their benefactor, Banks, *should die, be plundered, and then calumniated*, from which I have now endeavored to relieve his memory and character.

Many readers will suppose, from the number of Johnson's pages against John Banks, and the violence with which he uttered his denunciation in page 312, volume 2, that there were many alleged accusations against him; but after laboring with care and solicitude, through 1,000 pages of folio, I discovered but two pretended causes of complaint. The first was, because, in a private confidential letter to a partner, and upon no other occasion, he had hinted, that it was not unlikely that General Greene would be inclined after the war was over, to unite in partnership with them. That letter was written after Banks had formed partnerships with Burnet and Forsythe, and at the particular desire of Greene, as to Burnet; but after he knew that Greene had been engaged in trade in partnership with Jacob Greene, the brother of the General, and with Griffin Greene, his cousin. Where then was the cause of offence, in a private confidential letter, which had not been promulgated by Banks, but by others? And in my opinion, there is very little doubt but that he, (Greene,) had been informed of this fact by Burnet, before he made the suggestion to Hunter, in the letter which had been opened by Gen. Scott. What, then, was Greene's motive for so much wrath? There was also another charge in the allegation against Banks, that he had pledged certain bills, which were in the hands of Col. Charles Petit, as an indemnification for Greene's securityship, for the concerns in which Hunter, Banks, Burnet and Forsythe, were partners. I have already endeavored to give information upon this subject, in the preceding illustration, and expect that I have done so; and have no doubt, but that this *slander is false and groundless*. But should there be, in a partial degree, any thing to support any part of the charge, it will result in this—that Greene himself received the benefit of the change of direction, because it has been pretended, that such direction was made for the sinister purposes of Banks; and by his death, which happened soon afterwards, Greene, as administrator, obtained the control of his whole property, rights, &c. to the full consideration of the withdrawn bills. But I am of opinion, that this matter is a fabrication, and that all the bills alluded to, it may be ascertained, were used and appropriated by Hunter, Burnet and Forsythe, and

that the calumny against Banks was made and countenanced for purposes very different from those of *honor, honesty and truth*.

Greene, in his explanation of the matter, respecting his partnership with the company, long afterwards said, that he made Banks go before a magistrate, and make oath that he was not concerned. In this he exposes himself; first, by showing his power and promptitude to enforce what ought to have been free and voluntary; secondly, that the mere surmise of the probability that a man who would engage in trade with one man, when he had long been and then was a partner in trade with others, ought not to have caused so much indignation; thirdly, I am confident that the expression was a falsehood, because, after Greene had excited the anger and vengeance of General Gunn, as already stated, he did not seem anxious to manifest any other power, except in *making* his escape from the indignation of that valiant and injured man; and when he found an *escape* impracticable, in *this life*, he effected it by *making* one to another world, and rather risk the anger of an offended God, than the vindictive arm of an offended and much injured man.

Such being the facts, I am authorized to conclude that Greene seems to have been wonderfully brave in urging men to battle and to death; but not willing to meet an injured and angry man in personal combat.

It is now necessary to state and explain, as fully as I can, and I believe correctly, the amount, cause and particulars of General Greene's guaranties for the concerns in which John Banks was a partner. The parties were, John Banks, James Hunter, Ichabod Burnet and Robert Forsythé. The two last, when they became partners, were members of General Greene's family, as aids, and were his confidential friends as long as they lived.

The allegations made by Greene in a memorial to Congress by himself, and in another by his representatives afterwards, were, that Greene was induced to become responsible, to support their credit, rendered necessary to the public, because they had contracted to supply the southern army, then commanded by him. In their memorial they claim to be indemnified by Congress, as an act of public justice, and they have succeeded to the amount of their claims, which will be presently noticed.

John Banks and Co. sometimes called Hunter and Banks, sometimes Hunter, Banks and Co. had purchased from three British houses, to wit, Harris and Blackford, Ebenezer and John Collett, and James Warrington, British goods to the amount of about £23,000 sterling, before Charleston was evacuated by the British troops, and after the evacuation, General Greene became the security for these debts. It is necessary here to observe, that the advance on the sterling cost of goods at that time in the south-

ten States, was from three to six for one, according to circumstances.

Some time afterwards, John Banks purchased from Collins and Hayes a large assortment of goods, amounting to about £4,500, and delivered these goods to Warrington, to be shipped to Richmond in Virginia, consigned to myself, and accompanied by a bill in Warrington's favor, for the aforesaid debt; which bill was presented, and I was ready to accept it, upon the delivery of the goods; but Warrington refused to deliver them, and as I thought, he thereby created a responsibility, not only for the exoneration of Mr. Banks, but also the indemnification of his securities. Warrington soon after sold the goods at vendue; but for how much, or how he afterwards settled the matter, I know not. Mr. Banks soon afterwards died, and I have never heard, or if I did, I now recollect nothing about it.

In the year 1790, the Congress of the United States, upon the petition of Catherine Greene, the widow of the General, passed an act of indemnification, as respects Collett's debt, of about £8,000 sterling; and it was then believed, that enough had been secured from the debts and effects of Mr. Banks and his concerns, to indemnify General Greene in all other cases; nor had there been any account rendered of what Greene had got from John Banks' estate, from Major Burnet's brother, from Robert Forsythe, from Banks' relatives, and from the lands which had been mortgaged for further security. But, many years afterwards, Mrs. Greene again came forward with a further memorial, having a relation to the guaranty for Harris and Blackford. The same James Warrington acted as the agent of Harris and Blackford; and Phineas Miller, then privately married to Mrs. Greene, acted as the agent of General Greene's estate; and they so contrived the matter, as to obtain an act of Congress to pay two or more bonds given to John M'Queen, which, as is now believed, were given for the purchase of Cumberland Island and the slaves, as already noticed.

I cannot explain the particulars and contrivances of this matter; but I am fully persuaded, that the money voted by Congress was under the pretence of paying Harris and Blackford's debt. M'Queen's bonds being thus satisfied, the mortgage and indemnity of Greene were also satisfied. Thus all Greene's debts for which he became the security of Mr. John Banks, with British merchants, were paid—not by him, but by other means; and his heirs have since held, and now hold an estate in lands and slaves on Cumberland Island, supposed to be worth but little, if any thing less than \$100,000; which estate, with the rents and profits, so far as I can see or comprehend, now belongs to John Banks' heirs, or rather to his heir at law.

It is possible that a different view may be given of this last matter, and that facts not known of, nor suspected to exist, may induce the writer of this to form and acknowledge different inferences.

These views show that Greene received large indemnities from Burnet's family, from Major Forsythe, from Mr. Banks' relatives, and from Mr. Banks' estates, in bonds, &c. effects, vessels and real estate, before General Greene's death; so that there was enough to indemnify him, besides the payment of the debt due to Collett, and the last act of Congress to pay the guaranty in favor of Harris and Blackford, or M'Queen; but as all these debts were paid, and not by Greene, his heirs and estate are now answerable, either to the United States or to the representatives of John Banks.

The following is an extract from a letter written by General Greene on the 13th of August 1792: "For upwards of two months, more than one third of our army was naked, with nothing but a breachcloth about them, and never came out of their tents, and the rest were as ragged as wolves. Our condition was but little better in the article of provisions. Our beef was perfect carrion; and even bad as it was, we were frequently without any. An army thus clothed and fed, may be considered in a desperate situation."

Many other extracts of the same description and equal strength might be cited, all tending to show the distressed situation of the army under the command of Greene; from all which, they were relieved by John Banks; and when fully relieved and fitted to be employed as soldiers, they were put under Gist, Laurens and others, to be butchered in an unnecessary gladiatorial war, in which they engaged the more willingly, because they were taught to believe that through the extraordinary talents, exertions and kindness of their General, they enjoyed all these things; for all which, they were taught to call him their *beloved General*.

Therefore have I now shown and developed the fact, that he was their enemy, and sent them to the butchery to be slaughtered; that he either murdered or otherwise sacrificed the man who had, on his faith pledged for the United States, furnished the soldiers with their equipments; that it became necessary to his purposes, that his benefactor should die, and he did die; it was necessary to his purposes, that he should get the estate of his benefactor, and *per fas aut per nefas*, he did get it; it was necessary to his fame and purposes, that certain things known by his benefactor should be concealed and buried in oblivion, and they were concealed, and would have been buried in oblivion, if the histories of Caldwell and Johnson had not been published.

Then hail, all hail, ye consummate historians of former times, who have published rhodomontades and fanciful flights for historical truths, which I now tell you, as I have done before, are

as false as hell! But we have discovered many other things, not by confession, but by fact and deduction. The first, that General Greene was aiming to supplant Washington in the supreme command of the American army, and in the confidence of his country. This fully appears in what has been said in justification of his inducing one of the first soldiers in the war, to wit, Col. Lee, to withdraw and retire, that a command might be given to that young madcap, Laurens, pretending that the latter was the favorite of Washington. The other was in the clandestine correspondence with General M'Dougal, Gouverneur Morris and others, proved by the anonymous letter published in the second volume, that there was a scheme to connect the termination of the war and the establishment of a monarchy together.

Hence it was necessary that Greene should get clear of Morgan, Stevens, Sumpter, Pickens, Marion and Lee, and keep out of service Shelby, Sevier and others; because he found them all devoted to the equal republican liberties of their country, and to their favorite Washington. His first purposes were accomplished, because he did get clear of these distinguished republicans, and their places were supplied with his own adherents.

While, therefore, Greene's biographers publish ponderous books to dress him off in exalted attributes of character, they prove that he was the enemy of public liberty; the enemy of the army, which he often sent to slaughter; the enemy of the great Washington; the impertinent dictator to the high civil authorities of his country, and the destroyer and murderer of his benefactor. Whilst he commanded the American army; it was much exposed to privations, devastation and blood, in operations and battles with the enemy. His relations, Jacob and Griffin Greene, also waged a privateering war with the same enemy, carried on a clandestine commerce with them, visited their ports, and although they sunk into utter ruin by their business, the same General Greene having obtained the estate and effects of John Banks, relieved his relatives from ruin, discharged his own debts, made them rich, and in the short space of two years, secured great fortunes for his own children.

Yes, all these things have happened, *and I alone am left to tell, and to publish them.* I have done so; and should I live, and preserve sufficient health and means, they shall go down to posterity, and become parts of the American history which may be hereafter published, when the historian shall pay more regard to truth, than he does to temporary and evanescent purposes.

If John Banks had lived, and certain facts relating to Greene had been made known by publication, the southern States would never have made the donations which he received, and he would have stood before the world in his naked deformity, and either

sunk into ruin and poverty, as he ought, or died as he did, under the excruciating disease of mental agony.

Vol. II, chap. xviii, page 370. "Just the reverse was the case. The whole State became indignant at having the maintenance of the army thrown exclusively upon it, when it was known how much it had already contributed, and how it had suffered. Congress was charged with deserting them in their distresses; and the financier, with dealing ungenerously, in casting them upon North-Carolina and Virginia, from whom nothing was to be expected. They were sensible, that they could not dispense with the army, and that it ought not to be left to starve; but to leave them to maintain it exclusively, was to throw too much of the general burthen upon a small and exhausted State."

"The height to which murmurs had risen, will be imagined, when General Greene wrote—"The inhabitants are so soured by this mode, that it will almost create a civil war to continue it." And the privations of the troops will be judged of, from the following extract from Colonel Harmer's Journal: "25th of December 1782. Poor Christmas—no beef nor rum for the men." For all besides, it was a day of plenty or of waste,

"Authority had now been given, to contract for the subsistence of the troops; but the utmost efforts of the General, persevered in for months, could not prevail on any one to undertake it. The price offered by the contractor, which was limited by the northern contracts, was too small; Philadelphia, the place of payment, too remote; and the bills of the financier not very acceptable, and, unfortunately, they were daily growing worse and worse. Two of the States had refused the duty of five per cent. claimed by Congress, and very few of them had paid any portion of their quotas; most of them had paid nothing. At length Mr. Morris, disgusted and distressed, tendered his resignation, and the bills of the southern department were no longer paid when due. Still, however, the confidence of the public in Mr. Morris' assurance that they would be paid, kept up their sickly credit, and although unwelcome, they were esteemed safe.

"Among the holders of these bills there was no one so deeply interested as John Banks. After the evacuation of the town, Major Forsythe had resigned his office in the army, and embarked in trade with Banks, under the firm of Robert Forsythe and Co. and Banks did business under that of John Banks and Co. In neither firm did the name of Major Burnet appear, though it has since been ascertained that he was a copartner, as well as Banks, of Robert Forsythe and Co. as well as of John Banks and Co. His interest was, for some months, altogether unknown to General Greene, and probably to all others, except through the medium of the discoveries made in Virginia. Major Burnet had intimated to General Greene, his intention to go into business to which he

was bred, as soon as the town should fall; and it appeared afterwards, that the mention of this intention to Mr. Banks, at Ashley Hill, together with the suggestion by the General, that he would be flattered by any assistance afforded Burnet, was the groundwork of Banks' surmise that proposals would be made on behalf of General Greene, for an interest in the trade. Banks probably had been recently in the circles in Charleston, in which such hints led to such consequences, and having mingled much in the corruptions of trade and power, drew his inferences from recent experience.

"It appears, however, that General Greene never believed (the Virginia letters notwithstanding) that Major Burnet had ever connected himself with Banks, until the town was evacuated, nor then, until he had visited his friends in Jersey, and obtained their approbation. This opportunity was afforded him, by his being despatched with the communications on the evacuation, and charged with waiting, in person, on the Commander in Chief, to advise upon ulterior measures, an uniform practice of General Greene's, upon every great change in the posture of public affairs—intended to obviate the delays attendant on a correspondence, as the aid so despatched was competent to answer the inquiries which such changes would suggest. His absence from the army, which was protracted until the middle of April, precluded that personal intercourse which might otherwise have led to a knowledge of his interest in Banks' commercial establishments.

"Until the receipt of Governor Harrison's letters, which was on the 3d of February, General Greene had every reason to feel himself under much obligation to Mr. Banks. The countenance and support of his house kept up the credit of the government bills; and in a recent instance he thought he had experienced a striking proof of his liberality and public spirit.

"When the Pennsylvania and Maryland lines were reduced into one full regiment, the troops of the other States underwent a correspondent reformation. The number of officers remaining with the army, was, of consequence, greatly reduced. After the length of service that these men had been subject to, without a cent of pay, and no clothing, (but one small supply of linen, and a pair of boots, when the manufacturing establishment in Georgetown could afford them,) it will be readily supposed, that the state of their wardrobes was but ill adapted to mingling in the society of Charleston. Nor was their personal appearance unaffected by the contrast with the neat and soldier-like appearance of the troops, after passing from their rags to a state of comfort heightened by a smack of taste.

"General Greene was so impressed by the necessity of affording them some relief, that he resolved to draw on the financier for two months' pay to each of them, and trust to the justice of the ef-

fort, and the known influence and friendship of General Lincoln, to vindicate the measure.

"The bills were accordingly drawn; but so many circumstances had concurred to reduce the credit of the financier, that nobody would take them; they began to be considered as of the same progeny with continental money. Nor was it without cause; for though the whole sum amounted only to four thousand dollars, Mr. Morris' answer to the communication which announced the draft, contains a declaration "that it was four thousand times as much as he knew where to get the money to meet the payment of."

"In this state of things, the house of R. Forsythe and Co. came forward and offered to receive the bills in payment of purchases made at their store; and although there can be but little doubt, that some advance was made upon their goods, to countervail the inconveniences that might result from the mode of payment, yet General Greene was certainly led to consider it as an act of great liberality and a personal gratification intended to his own feelings. Will it be believed, that this was afterwards made the groundwork of the most mortifying calumny, which the General had to encounter, to wit, that he had speculated on the necessities of his own officers? Never was man the victim of such distorted misrepresentations!

"Before the receipt of Governor Harrison's letter, the house of John Banks and Co. had become contractors for the subsistence of the army."

I enquire of Judge Johnson, how he can justify the writing and publication of the 411th and 412th pages of his second volume, after having made the foregoing acknowledgments in the 370th page of the same book? And will he, or any of his or of General Greene's friends, pretend to utter complaints at any language which may be used against them? Let it be remembered, that I am a volunteer in the vindication of one who has been dead more than forty years; that I am bound by my engagement, to do what may be suggested to my devoted mind.

THE GLADIATORIAL WAR,

Waged by General Greene against the retiring British forces.

After Greene had reorganized the army, and induced all the distinguished republicans to leave the service, he engaged in a war which I have called the gladiatorial war. It will present to the reader many facts which will excite his disgust, and show how much the United States were indebted to the firmness of those

patriots who withstood the conspiracy, and still more to Divine Providence, for the preservation of liberty and republicanism.

Strange is the mystery, or absurd the evident contradictory tendencies of General Greene's conduct, relating to the wants and evident purposes of the two armies.

1st. The Governor of South-Carolina permitted provisions to be sent to Charleston.

2d. Greene contracted with John Banks for clothing, which could only be got from Charleston, and permitted provisions to be carried in for payment of the clothing.

3d. General Green engaged several corps of troops to capture and prevent the introduction of other provisions. He disguised many officers, and induced them to withdraw from service.

4th. General Greene knew that the clothing which his army received, came from Charleston, in exchange for the very provisions which had been carried in under the Governor's order and his own license.

5th. The British commandant proposed to purchase provisions from the people, and to suspend all hostilities until he should depart.

6th. Greene refused, and gave orders to the officers to intercept, oppose and prevent the people from selling provisions to the enemy, whilst his officers and army were benefitted by the constant receipt of clothing sent out by John Banks under flags, they being obtained by provisions sent in by other flags; so that his camp exhibited the benefits of friendly intercourse, while the valiant and faithful soldiers were devoted to war, blood and death, by the mysterious policy of General Greene; in consequence of which, orders were given to General Marion to devote himself and his brave followers to this warfare. The brave Marion never executed these orders, in consequence of which, it is alleged that his services were no longer desirable; whereupon General Gist, as his successor in command, in the true quixotic style, galloped about the country in quest of adventures, and to arrest the course of daily existence.

While Marion was in service, he was reinforced by Colonels Shelby and Sevier, two heroes of King's Mountain, where Ferguson was totally defeated and fell. They had under their command about 300 men. Here follow extracts relating to them:

Vol. II, chap. xvi, page 260. "It was on the sufficiency of the force assembled under Marion, to keep in check that of the enemy under Stuart, that Greene had ventured to advance to the Four Holes, or meditated taking a position so much exposed to an attack from Charleston. The mountaineers under Sevier and Shelby, constituted the reinforcement upon which he had ventured into the field; and this force, to his astonishment, *deserted him*. He had been given to understand that they were to remain in

service "until the spring of the year, or until Charleston was reduced." To his disappointment and surprise, they all abandoned Marion by the 25th of November. It was most probably attributable to Shelby's having obtained leave of absence, as we find no other cause or excuse for their retiring after three weeks' service."

Vol. II, chap. xvi, page 261. "The only services in which the mountaineers (as they were called) were employed while with Marion, were in attacks on the post at Fairlawn, and on the redoubts at Wappetaw. Detachments of about 200 of them, supported by Mayhem's cavalry of about 180, were, in both instances, employed under the command of Shelby. The latter place, on being approached, was abandoned; for General Stuart was then drawing in his forces under the protection of Charleston. But the attack on Fairlawn was made while the enemy lay at Wanpool."

As nothing more is said about the mountaineers, it is likely that there appeared nothing for them to do, but to assist Generals Green and Gist in their quixotic plans; and they not choosing to be thus degraded from volunteers to gladiators, returned to their respective homes. But when Johnson brought into notice such men as the conquerors of King's Mountain, he ought to have shown when and why they left the service. What had been done at King's Mountain, and the glorious conduct of Shelby in Canada, as Governor of Kentucky, during the last war, entitled him to more honorable consideration and notice, especially as Johnson's history was published long after the last of these events.

These facts and extracts tend to show the feelings and conduct of General Greene; and the military expeditions and bloody battles will show the causes why the army was discontented and mutinied, and why many officers left the service altogether; so that I have no hesitation in saying, that the continuation of the war, after a cessation of hostilities by General Leslie, was proposed on the simple proposition of getting provisions; and all the injuries and deaths which happened afterwards, were attributable to the sole inclination of Greene to attach ambitious young men to his person, who, after having supplanted others who were more worthy, might be further useful to him in some other purpose, not then avowed, but which has since been discovered and made known.

There was then in hand a project to establish a monarchy. This was well known to a few; but the authors and the plan were not avowed; and that Greene was in favor of the plan, is, in my opinion, clearly evident, and if so, some mysteries of his conduct will be explained. Will not this matter, now for the first time unfolded, give a clew to many things not yet developed? Why he disgusted and caused to retire from service, Morgan, Stevens,

Shelby, Seyier, Pickens, Williams~~son~~, Lee and Eggleston? Why Rudolph and others of the Legion were dissatisfied? Why did he attempt to disgrace and degrade Captain Gunn? And why did the cavalry withdraw, and retire to Virginia, where they were justified and protected from the vengeance that awaited them, if they had returned?

That General Greene was an overbearing, unyielding and vindictive man, was most sorrowfully known by many in his own time; and if it be true, as his biographer remarks, that he pursued such a benefactor as John Banks had been to him, 400 miles, with pistols, saddlebags and servant, he would thereby establish the character of an overbearing tyrant, which would have well fitted him for the monarchy to which he had been invited, and to which his conduct to the distinguished republican officers who have been named, gave strong evidences, to which he knew Banks was not only opposed, but a strong witness against him.

Let us now look a little further, and see what was the alleged injury which he had received from John Banks. It is said, that Greene, some time early in 1783, had guarantied debts which were due by Banks, Hunter, Burnet and Forsythe, to British merchants, and that some bills which were in the hands of Colonel Pettit, of Philadelphia, had been afterwards otherwise directed by him; and that, about July 1784, Greene had discovered that this was done by John Banks; but in the mean time all the goods had been delivered to Greene's particular friends and confidential aids, Burnet and Forsythe. Burnet had carried \$30,000 worth to the Havanna, and never returned; Forsythe had acted upon a greater subject; and in both of these arrangements Greene was pleased and highly satisfied with the conduct of Burnet and Forsythe, and there was no complaint ever heard of, until since Banks' death. Banks being in a low state of health, "with a fever burning in his veins," (as Judge Johnson says,) having left all these matters in the hands of Burnet and Forsythe, came to Petersburg in Virginia, returned to Washington in North Carolina, and (as Johnson says) at the very hour when Green arrived, he breathed his last, and Greene immediately obtained possession of all his money, notes, bills, bonds, accounts, goods, merchandize, vessels, papers, rights and effects; and then the whole of the goods for which Greene had signed the guaranty bonds, and their avails, fell into the possession of Greene and his friends, Forsythe and Burnet, and his heirs; they being moreover possessed of all Banks' papers, have made out and published exactly such tales and reports as suited them.

If this elucidation is denied or doubted, I ask Judge Johnson to state the whole truth, or so much as he can. Should he do so, he will state, that before John Banks formed either contracts or connexions with the military triumvirate, Greene, Burnet and For-

sythe, his character, credit and resources were of the first order; that Burnet and Forsythe were his partners in the contracts and supplies to the army, and that Greene, the guarantee of all of them, was the secret partner of Burnet and Forsythe, and that great profits were made. Now I ask, what became of them? Who were benefited? Certainly not John Banks, his friends or heirs; but most likely, Greene's favorites, Burnet and Forsythe, found the means for Greene to pay off the debts of Jacob and Griffin Greene, with whom he was a partner, and among other deeds by which his mind was harrassed.

As respects the British debts which he had guarantied, Banks paid Warrington, by delivering a sufficiency of goods, had they been properly applied; and the Congress of the United States paid the others. I ask peremptorily, what became of the proceeds of the goods which Burnet and Forsythe had? Of all Banks' mercantile capital in North-Carolina? Of the vessels which were nearly ready for sea, with their cargoes provided, and of other debts? What became of the lands in North-Carolina, South-Carolina and Georgia, which were mortgaged?

As respects Pettit, I neither knew nor could ever ascertain much about him. After the death of Banks and Greene, I called upon him, to ascertain by inquiry, what were the facts relating to the bills which came into his hands; but I afterwards heard from Major Richard Claiborne, (who had acted under Greene, first in his office of quartermaster-general, and then as deputy quartermaster-general of Virginia,) that Pettit claimed a large balance from Greene, as assistant in the quartermaster's department, and had used it as the means of appropriating some of those much talked of bills, to his own use. But let it be remembered, that I do not vouch for this. What I believe is, that the triumvirate (Greene, Burnet and Forsythe,) got all that was purchased, all that was made, and all Banks' effects, &c. in North-Carolina; that they have been indemnified by Congress, on account of the debts for which Greene was responsible, and that Greene and his brother Jacob, and cousin Griffin, have been saved from bankruptcy, ruin and pauperism; and also, that Greene's family now enjoy estates in Tennessee, Rhode-Island and Georgia, worth at the least four or five hundred thousand dollars. All which, his associates, Burnet and Forsythe, have made by the death and wreck of John Banks, and the enjoyment of his estate. I have no data, but I do not think, as they knew of so many of Greene's secrets during the war and afterwards, and how his commercial and privateering projects went on in Rhode-Island, that they would let him rise from pauperism to affluence, without taking some care of themselves and friends also. I do not believe that any relative of John Banks ever derived the smallest benefit from his estate.

I have given detailed chronological sketches relating to John Banks, with their causes and their consequences; also, the causes and effects of the wide spreading and long standing slanders against him, with short views of the agents of those slanders, and what Banks' situation was before he had the misfortune of forming contracts and connexions with the triumvirate, Greene, Burnet and Forsythe, who, with cool, deliberate wickedness, before and after his death, while they concealed their own plans and secrets, meditated the destruction of their unsuspecting and liberal benefactor. I will now ask the impartial reader to survey the actions, successes and fate of a *young man*, whose entire career had terminated in the 27th year of his age; whose life was lost in consequence of his great, patriotic and unrivalled services in that cause which eventuated in the freedom and happiness of this now great and flourishing country—a country which now, in its increasing wealth and strength, has looked back with gratitude, justice and liberality, towards other benefactors of the same period, but not of greater devotion or usefulness.

Behold this young man, at the ages of 22, 23, 24 and 25, undertaking and performing for a devoted army and prostrate country, those very things which saved them! Behold him receiving the public applause and thanks of all ranks and degrees! Behold him listening to the commander of the army, acknowledging that he (Banks) was the *only man who had the will and the means to render the services* which the army had received, and in flattering terms inviting and soliciting him to make further engagements to the same army and country, and requesting him to become the guest of his family and the friend of his friends! Behold the pecuniary agent or financier of that country, after the services were received and the country saved, refusing to pay bills drawn by his own authority, upon himself, by the general of the army, for large amounts, and thereby producing losses and sacrifices of incalculable amount! Behold him harrassed, calumniated, and compelled to expose his tender constitution and delicate frame to great fatigue and to a deleterious atmosphere, when he sickened, sunk, and died! And now hear, that although he was a native of your soil—a soil made yours by his acts—his bones are deposited among strangers to his *worth*, his *services*, and his *successes*, far from his *home*, his *relations*, and his *friends*! Shall it be said, that they who are conscious of all this, and who daily rejoice in that national greatness and glory to which he contributed, will not revive and review those past scenes, and will say to his relatives and friends, who have suffered by his death and the subsequent spoliations of his rights and effects, that no healing balm and soothing word shall be said unto them?

The voice of truth, justice, honor, love of country and gratitude, now speaks to the living beneficiaries, and calls upon them to open

their ears and hearts, to give rest and peace to the soul of their benefactor, who was the only man in existence, who had the will and the means to have done those things, by which they and their predecessors have been, and their successors for ages to come will be, his beneficiaries, and instead of slanderers, ought to be his defenders and eulogists, and to make known, in the very words by which he was induced to hasten his own death and destruction: *You are the only man who possessed the will and the means to serve and save us.*

Behold, also, the man who had been most benefitted and the most thankful, becoming his slanderer and the devastator of his property, under pretences that were false, and means that were illegal! Behold the posthumous fame of *your* benefactor, *his country's* benefactor, and the benefactor of *all mankind*, made the scoff of the wicked, and the fabulous by-word of romancing historians! Yes, behold this youthful patriot, excited and supported by his own honorable principles, intentions and means, save the southern army—save the southern States—secure the great purposes of the war, and ensure the independence of the United States, and thus entitle himself to the gratitude of every friend to honor, liberty and happiness, throughout the world! And does he not deserve that his name should be vindicated, classed and enrolled among the patriots of his country and the benefactors of mankind? And should it not be rescued from the falsehoods, which, being propagated by modern historians, may be repeated by their successors, to the latest ages of time? Such is the pious duty and task of an affectionate brother, who, in the performance of it, has not been, nor will he be turned aside by any names, either past or present, however great, powerful, influential or hostile.

SCHEME OF FORMING A MONARCHY.

I shall now take some further notice of the parricidal and treasonable scheme which was formed by a few political villains, and countenanced by others, during the latter part of the war, to establish a monarchy on the ruins of that liberty for which so much had been done and suffered. This daring and audacious project, was often the subject of remark and execration, during those days of dismay and suffering. I do not now recollect that the names of the conspirators were announced; but it now seems, that many were suspected, whose popularity was high, and who have since obtained the appellation of revolutionary patriots and heroes.

It is true, that in the year 1781, when Virginia was overrun by the army of Cornwallis, some conspicuous men were accustomed to say, that it was in vain to resist longer; that it would be better

to yield to an overbearing torrent, than to make bad worse, by unavailing struggles. But there was at once such a burst of indignation, that such men were considered more as the early devotees to the British government, than to any organized scheme to an internal national monarchy.

Those ancient schemes and feelings, have been again brought into view by Judge Johnson's books; which, in the chaos of good and evil, promiscuously published in almost 1,000 folio pages, fully showed, that an establishment of an internal monarchy, was under Greene's consideration; and although Johnson, in the plenitude of his *will* and *decree*, has acquitted Greene of any participation in the scheme, yet there is no other proof offered, by any fact, record, letter, or other individual suggestion, that Greene was not one of the most daring leaders of the project.

But on the other hand there were, and Johnson's own history demonstrates it, *many facts*, which induce us to believe, that the consummation of the monarchy depended much upon the participation of Greene, and the army which he commanded. These facts are, the disgusting deportment of General Greene, to the well known republicans, Generals Morgan, Stevens, Sumpter, Marion and Pickens, Colonel Lee and Major Eggleston, and to all officers of the army, who were not his humble devotees; the unjust and unpopular reorganization of part of the army, and the abandonment of many officers, whose services had been long and severe; the devotion of the soldiery to unnecessary battle and danger, in an unsuccessful gladiatorial war; the constant palpitations of a tyrannical and ambitious heart, to bedeck his brow with a military laurel, and give glory and splendor to his name, as a military chieftain, all of which were evinced in the bloody battles and defeats (as I call them) of Guilford Court-House, Hopkirk's Hill and Eutaw Spring, and have been acknowledged in the storm of 96—in this latter *bloody* action, it has since been announced in history, that the motive and reason for that storm, were found in the solicitude and personal love of the soldiery, to their darling commander, as he was called, and that Colonel Cruger, the commander of the garrison of 96, was willing to evacuate the fortress and retire to Charleston; yet the soldiers of the American troops were so anxious to give a military triumph to their general, that they were willing to be led like submissive victims, to that self-devoted butchery, which succeeded.

For my own part, I deny that all this quixotic devotion to General Greene, his feelings, fame or honor, ever existed, except with a few devotees; and I speak with positive certainty as to one of the bravest of the army, who, in making the storm and endeavoring to scale the walls, lost his arm by a wound then received. I knew him well, and have heard him, in terms of modest disdain, speak of the catastrophe, its fate, and his own risk, effort, danger

and wound. The name of this officer was Samuel Selden, of the neighborhood of Richmond, in Virginia, and brother to Colonel Miles Selden, formerly alluded to as one of the most active patriots of Virginia, and uncle to the present Register of the Land-Office of that state.

These things give me a clew to Greene's solicitude to get possession of the papers of John Banks, and their subsequent disappearance, who, from some observations made to me at Petersburg, a few weeks before his death, said that he had it in his power to force Greene to measures of justice and full indemnification.

Johnson's history fully shows, that there was such a scheme, and the reason for implicating Gouverneur Morris and many others. The letters to Greene, his concealment of them, and his impertinent correspondence, on public matters, with civil authorities, and he (Greene) concealing the names of the traitors, and having induced so many of the best officers in the world to withdraw from service; the having supplied their places with other officers, whose only recommendations were their personal bravery, and their devotedness to, or co-operation with him; the discontents of all the army; the mutinies of some of them; the defection of others; the gladiatorial war with the retiring enemy, for the purpose of gaining military fame; the refusal of Robert Morris to pay the bills which Greene had drawn by his authority, upon him, in favor of John Banks & Co. after the army had received the benefit of those bills, as if they had been cash, though great losses and sacrifices were thereby sustained by Banks, in those bills; the hatred and diabolical ingratitude of Greene and his adherents, to John Banks, now manifested to have existed before his death, but cheerfully embodied and exaggerated by Judge William Johnson; the total embezzlement of Banks' estate, debts and claims, and the total and final suppression of all written testimonials relating to them; while all these things demonstrate the certainty and extent of the treason, and also demonstrate that Col. Lee and John Banks, both of whom have been so *basely* and *causelessly* calumniated by the friends and eulogists of Greene, and injured by the same persons, now serve to demonstrate *their* innocence, patriotism and public usefulness; and to establish the parricidal, diabolical combination; and also, that conspicuous men were engaged in a most infernal treason, is fully and clearly established,

ANONYMOUS LETTER TO GENERAL GREENE—VOL. II, CHAPTER XIX,
PAGE 394.

"Philadelphia, February 11, 1783—Private.

"DEAR SIR:—I cannot omit so good an opportunity of communicating to you my thoughts on the present situation of affairs, Knowing, as I do, that your heart is actuated by the same princi-

ples of justice and the same sentiments of policy, which influence my own, I can venture on a freedom of communication, which, to most men, would be imprudent. The approach of peace cannot but give very serious thoughts to every officer and soldier of the American army. The promises made by the public, will, if performed, be of beneficial importance, and if broken, extremely injurious. The main army have had anxieties on this subject; and though I do not pretend to guess, precisely, at their sentiments, I am convinced they will easily forego their expectations. Their murmurs, though not loud, are deep; and I do not think that the committee they have sent hither, will, from their report, allay the apprehensions which were excited. From this committee, however, I learnt that they were precipitating themselves in the road to ruin. I mean, by pursuing a recommendation to the several states, for compensation, &c. This, which would have divided them into thirteen different parts, could have made it easy to elude the force of their applications, or after their compliance, to have resumed any grants made in consequence of them, when the army should have been disbanded. At present, however, the committee have become so thoroughly persuaded that the army will be defrauded, unless they unitedly pursue a common object, that I believe it will become the general sentiment. *If the army, in common with all other public creditors, insist on the grant of general, permanent funds, for liquidating all the public debts, there can be little doubt that such revenues will be obtained; and there can be no doubt, that when they are obtained, they will afford to every order of public creditors, a solid security. The half pay promised the officers, is estimated to be worth five and a half years' full pay in hand. Thus, for instance, supposing an officer entitled," &c. "Admitting, then, that the proper revenues were obtained, the officer would be able always to sell his stock for the value. It is needless to say that the United States have no other mode of paying the arrearages due to the army. It is also unnecessary to mention, that this kind of provision ought to be made for every description. The effect of it, in all its parts, you will, I am sure, be at no loss to trace; and you will agree with me in opinion, that Congress can, by that means, obtain a degree of influence essential to the happiness of this country.* Now, my dear sir, I am most perfectly convinced, that (with the due exception of miracles,) there is no probability the States will ever make such grants, *unless the army be united and determined in the pursuit of it, and unless they be firmly supported, and as firmly support the other public creditors.* That this may happen, must be the entire wish of every intelligently just man, and of every real friend to our glorious revolution."

"But General Greene was not to be deceived by this specious affectation of disinterestedness and public spirit. The object was

a coalition between the army and the public creditors; the end, to compel the States to do them justice. But could it end here? The power that forced compliance in the first instance, must be continued to enforce obedience. It happened, also, that he was fully apprised of the writer's intimate connexion with the public creditors, to a greater amount, probably, than any other man in the Union, and, moreover, knew him to be an avowed advocate of monarchy.

"The following extract is from the same pen: "I cannot, however, omit the present opportunity of lodging in the bosom of friendly confidence, my sentiments of our interior political situation. *That Congress have not proper powers, I see, I feel and I lament.* Their ministers have the arduous task before them, to govern without power; nay, more, to *obtain the power necessary to govern.* They must persuade, where others command; and the strong phalanx of private interest, with the impetuous sallies of private politics and party, encounter them at every step. These features of our character and situation, are very disagreeable; but, are not these the distinguishing marks of government, in its infancy, in every age and every climate? *To reinforce the reasonings, to impress the arguments and sweeten the persuasions of the public servants, we have that great friend of sovereign authority, a foreign war.* Conviction goes but very slowly to the popular mind; *but it goes.* The advantages of union and disunion, in carrying on the war; the disadvantages which flow from the want of them; the waste, the expence and inefficacy of disjointed efforts, is best for the whole, through thirteen different communities, whose rulers are yet ignorant what is best, even for the single one that they govern; these, with the thousand others which it is hardly in language to enumerate, and which, certainly, it is not in genius to conceive, nor in any thing but inexperience to show; these must, at last, induce the people of America, (if the war continues,) *to intrust proper powers to the American sovereign,* as they have already compelled that sovereign, reluctantly, to relinquish the administration, and intrust to their ministers the care of this immense republic. I say, *if the war continues;* for if it does not, I have no hope, no expectation, that the government will acquire force; and I will go further, I have no hope that our Union can subsist, except in the form of an absolute monarchy."

The foregoing letter being found among Greene's papers, and published by Judge William Johnson, shows, either that Greene was a member of the conspiracy or connived at it; and, therefore, we may conclude, that he conducted the war, caused the fortress of 96 to be stormed, the battle of Eutaw to be fought, the gladiatorial war to be carried on, and the destruction and death of John

Banks to be most basely and ungratefully occasioned, in aid of those or some other plans of equal flagitiousness.

During these events, it was thought by many, that Greene was the personal favorite of General Washington. They, therefore, submitted to his plans and oppression; and while many of the best patriots and officers of the United States, abandoned the service in disgust, they were persuaded that Greene would be supported in what he did, by Washington. Judge Johnson, when he published his history, ought to have had plain truth and honest deductions ever before him; instead of which, he has endeavored to make evident facts yield to the purposes and designs of General Greene and his character; all of which are now shown to have been in hostility with the interests of this country, the cause of free government, truth, honor, moral rectitude, gratitude and justice, due to the meritorious officers and soldiers of his army, and others.

GREENE'S ADMINISTRATION.

If General Greene had been faithful to his duties, and to the common feelings of humanity, he would have discovered and reported that John Banks' patriotism, in the course of three years, had exposed him and those who were concerned with him, to the especial plundering and depredation of the enemy, upon property in Virginia and Carolina, not exposed to the risk of the sea, amounting to at least \$150,000; that Banks was the only man who had the will and the means to serve and save his army, in consequence of which he had lost his life in the bloom of youth; that he, Nathaniel Greene, major general, as administrator, had obtained the possession of money, bills, notes, bonds, accounts, evidences of debt, property and claims, as has been shown; that he had obtained effects in the hands of his aid-de-camp Burnet, and his aid-de-camp Forsythe, and other effects in South-Carolina, amounting to an immense sum; that he had obtained possession of one third part of Cumberland Island, with more than one hundred slaves, and that he had derived at least \$10,000 of yearly profit from them; that his pretences to a claim for all these, were his having guarantied debts which Banks had contracted in partnership with Majors Burnet and Forsythe, his own friends, aids and confidants, to the amount of £23,000 sterling, first cost; that he was the dormant partner of Burnet and Forsythe, which was unknown to Banks; that Banks had suffered great losses by the contract to supply the army with provisions, and that Burnet and Forsythe were concerned in them also; that by the refusal of Robert Morris to accept and pay bills which he (Greene) had drawn upon him for clothing and feeding the army, Banks had sustained other great losses, injuries and discredit, and that a part

of those losses ought to fall on himself or on the U. States; and also, that Banks deserved great and endless thanks for his patriotism and devotion to the cause, and compensation for his losses and sacrifices. To all this, which Greene ought to have done, may be added, that after his (Greene's) death, his executors have received from Congress full indemnification for the debts he had guaranteed; that he and his family have enjoyed and now enjoy a great estate on Cumberland Island, conjectured to be worth at least \$100,000, and that previous to the administration, the said General Greene, his brother Jacob and cousin Griffin, were utterly ruined; and that, during the war, he (Greene) was in partnership with his brother Jacob, and his cousin Griffin Greene, in commerce and privateering, by which his whole estate had been lost, wasted and ruined; that he and they were insolvents, and that by his administration on the affairs of Banks, he had paid off all debts, saved his Rhode-Island estate, restored Jacob and Griffin Greene to independence, and left for his own family estates of very great value.

Upon a final review of the whole matter, the following results appear: John Banks' patriotism cost Hunter, Banks and Co. and himself, as follows, viz.

1780—At Richmond in Virginia, by the destruction made by Arnold,	\$30,000
--	----------

1781—In James river, below Richmond, in vessels guaranteed by Governor Jefferson,	150,000
---	---------

1782—At Beaufort, by destruction of vessels,	40,000
--	--------

Depreciation and loss on Greene's bills on Morris, they being protested,	50,000
--	--------

General Greene received lands and slaves on Cumberland Island, purchased of M'Queen, for the payment of which Greene was security, and has enjoyed the benefits since 1785, now estimated to be worth	100,000
---	---------

Congress paid those bonds to M'Queen, under the pretence that they were given to guaranty contracts made for the army, and Greene's family have got the above estate for nothing.

John Banks departed this life in August 1784, at Washington in North-Carolina, when Greene administered upon his estate, and received his money, effects, vessels, notes, bonds, &c. &c. amount unknown.

Debt due by Thomas and Titus Ogden, which W. Blount owed,	15,000
---	--------

Also, he obtained the effects, at the Havanna, of which Major Burnet died possessed. The first cost of the goods at Charleston was \$30,000, and they were no doubt worth, at the Havanna,	40,000
--	--------

He obtained all John Banks' effects in the hands of Robert Forsythe and Co. and Pearce, White and Call,	50,000
He obtained other effects and debts to the amount of	10,000
He obtained the control over debts due by Minor and Gill, and Minor, Gill and Brown, at Petersburg, Va.	30,000
He obtained the right of indemnification for vessels taken after the peace with Great Britain, to wit, the ship Saucy Jack, which cost Hunter, Banks and Co. more than \$30,000, and the brigs Courtney and Bachelor, at least \$10,000 each,	50,000

Greene was bound to pay to Newcomen and Collett, about £8,500 sterling, and to pay Harris and Blackford about £11,500 sterling, both of which sums Congress have paid; so that Greene paid nothing on those accounts; and he could well afford to pay for Cumberland Island and the negroes, out of their profits, and ought now to give up the whole of that property, and be required to exhibit a just account of other matters, and to pay accordingly.

No account of administration has ever been rendered of John Banks' estate, to his relatives, and Greene's representatives are responsible for what was received, or might have been received, as has been exhibited.

Greene and his defenders say, that John Banks engaged to pledge bills on Robert Morris, in the hands of Charles Pettit of Philadelphia, and then withdrew them. This I believe to be a falsehood. Greene extricated himself, his brother Jacob and his cousin Griffin, with the means of Banks, from ruin and insolvency. With these relatives he was in partnership, during the war, in commerce and privateering, and he again made them independent. Greene lived in affluence and at considerable expence, and raised his family most expensively; and he has given and left among his family and friends, several large and valuable estates. Let it be shown how he extricated himself, his brother Jacob and cousin Griffin, from ruin, and made them rich, and acquired such estates. It is true, he got, by donations from the Carolinas and Georgia, about £15,000 in property. Where did he get all the rest? I answer, from his partnership with Burnet and Forsythe, and by his administration on the estate of John Banks.

In his letter to his brother Jacob, who complained of his own ruin and wants, Greene sympathised with him, and asked to be indulged during the *infancy of his affairs*. He had just then got, or expected to get the control of John Banks' affairs, and knew, from their aspect and extent, that they would enable him to do much for *himself* and for them. He did so, and rose from ruin and pauperism to immense wealth.

BIOGRAPHICAL SKETCHES.

COLONEL HENRY LEE,

Afterwards General, and Governor of Virginia, was a native of Prince William county, Virginia, and a son of Henry Lee, a revolutionary patriot, and for many years a member of the Legislature of Virginia; and a cousin of the celebrated Richard Henry Lee, one of the first civilians and patriots of the revolution.

Colonel Henry Lee entered the army as a captain of cavalry, and soon distinguished himself as an officer of extraordinary enterprise and value. His command was increased to a corps called the Partisan Legion, bearing his name. He was at liberty to choose from the whole army, his officers and soldiers; and he certainly did form a corps, consisting of about 150 cavalry and 150 infantry, that could not have been excelled. After General Greene was ordered to the command of the southern army, Colonel Lee solicited employment, and soon after followed, and recruited and trained his men and horses as he went; so that they might be fit for duty, when they should arrive. For these reasons, and it being in the depth of winter, he did not arrive at head-quarters until the 12th of January. He was immediately ordered on duty, and from that time to the termination of his service, he was engaged, sometimes on the lines, sometimes in getting intelligence, and sometimes in attacking and surprising forts and posts. This gallant young soldier was never surprised, or failed to execute a single duty. In consequence of all this, General Greene used to call him his right eye; and the corps, he called his Spartan Band. Yet this man, of whom too much cannot be said, was afterwards treated by General Greene, (as has been shown,) so as to induce him to retire in disgust, from a cause and service which he adored, and over which he had shed so much lustre, to make way for a purpose which not only totally failed, but demonstrated the commission of ingratitude and injustice, which, whenever and wherever the truth shall prevail, will be condemned.

It is my opinion, that if Lee had had the command of the southern army, before the battle of Guilford, with the aid of Morgan, Sumpter, Marion and Pickens, instead of suffering defeat, as Greene did, the whole British army, with Cornwallis at their head, would have been captured, with less loss and waste of

blood than was shed in either of the actions where Greene commanded.

Colonel Lee's enemies and defamers allege that there was a particular moment during the battle of Eutaw, when it would have been attended with great benefit, if he had made a charge on the enemy. At this time, Washington, the brave and devoted Washington's charge had failed; his corps was cut to pieces, and he was taken prisoner; the regulars had been defeated, and were driven back; Lee's cavalry were reduced to about 75, and Greene, as it is now said, was willing to have sacrificed them also, to have gained an useless victory. I say useless, because he knew the enemy purposed to go to Charleston—did go there, and would have gone there, without seeking a battle. But Greene's heart panted for a victory; he hoped to have taken the whole army, and to acquire a triumph; he urged them to battle, and was disappointed, which, in a moral view of the subject, he deserved.

Colonel Henry Lee, though a brave, successful and useful officer, was a man of light and weakly form, and not qualified, in personal strength, to make a heavy charge in battle. Washington was among the bravest and strongest men of the army; he delighted in making the most hazardous charges at the head of his corps, and though generally successful, was disappointed on this occasion. He fell, and was made prisoner. These officers both acted well their parts; but, from the causes already explained, they were very unlike each other.

This short sketch may show why Lee has been censured, the knowledge of which I have derived, for the first time, from Judge Johnson's book—he giving as his author, the same slandering Pendleton, of whom I have before spoken, whose slanders have made their appearance after Lee's death.

It is unnecessary to explain, that Lee's corps was so constituted, that it always acted in a character distinct from the main army, and amenable to no order, except that of the *commander* of the army, and of *Lee himself*. It was calculated to make a sudden effort, upon the shortest notice, and the orders were generally given by himself. Both cavalry and infantry were like a band of brothers, having entire confidence in each other, and all having equal confidence in, and personal esteem for, their commander, Lee.

At the beginning of the battle of Eutaw, Lee devoted himself to the infantry, and when the British army were in confusion, Washington's cavalry being destroyed, by a charge made under the orders of Greene, he saw an opportunity to avail himself of the confusion in the enemy's lines, and hastened to the cavalry, with the intention of then making a charge. But behold! Capt. Pendleton, under pretended orders from Greene, had ordered a part of the cavalry to another duty; and before the cavalry could be

brought back, and the charge could be made, the enemy rallied and the opportunity was lost. Since Lee's death, this same Pendleton has appeared as a *fabricator and retailer of facts, to the prejudice of Lee*, which never existed.

I am, at this time, of opinion, that if Greene had not sacrificed Washington's corps, and Pendleton had been at the *bandbox and toilet*, for which only he was well qualified, the battle of Eutaw, instead of a defeat, would have eventuated in a *splendid victory* to the *American arms*.

Washington, besides being of great personal strength, was among the bravest of the brave. Lee had every requisite for his command and station, except personal strength, in which he was very defective. Never were two men better fitted for their stations; each did always, at the proper time, exactly what they ought to do; and if the impetuosity of Greene and the stupidity of Pendleton, had not led them to interfere, Greene would have gained the eclat of victory at Eutaw; but fate ordered it otherwise.

Volume II, chap. xv, page 236. "On the evening after the battle, while General Greene was discharging a duty which he never failed to perform, that of visiting the couch of the wounded, when he came to the hovel in which Washington's wounded officers were grouped together, the sight of so many gallant young men, so suddenly brought down from the high hopes and martial exhibition of the preceding day, so strongly affected him, that after the kindest inquiries which a warm heart and unfeigned admiration could dictate, he took his leave, with telling them, "it was a trying duty imposed on you, but it was unavoidable; I could not help it."

I have fully shown, that the battle of Eutaw was forced upon the enemy, when Greene knew that their intention was to evacuate the country, as soon as it could be effected. He was determined to force them to battle, having great confidence in the certainty of victory. He was disappointed, and when he reflected on his defeat, on the destruction of Washington's corps, his wound and capture, and saw Washington's wounded officers grouped together, he shed tears and soothed them by saying, "*it was a trying duty imposed upon you;*" and added insult to injury by saying, "*he could not help it.*"

The friends of Greene have endeavored to screen him from the disgrace of defeat and the destruction of so many brave men, by imputing misconduct to Col. Henry Lee, who commanded the Legion; in consequence of which, I make the following explanation:

The Legion, at that time, consisted of horse and foot, less than 200 men. They were united in their organization, and never formed a part of the regular line of the army. It was a partisan corps, intended to take advantages of events, as they might occur. Upon this occasion, Colonel Lee was engaged in examining the

occurrences of the day. The horse and foot, though under his command, were separated. He was absent from the horse; but relied on their promptitude to act, when necessary. During the action, the British army was thrown into confusion; Washington and his corps were defeated and destroyed. Lee then hastened to the horse, to take advantage of the crisis; but behold one of Greene's aids, Capt. Pendleton, (lately a Judge,) had used the sanction of Greene's name, and had caused an attempt to be made by the cavalry, which failed. Lee, in the mean time, came to where the cavalry ought to have been, and could not take advantage of the confusion of the enemy, because Pendleton had interposed; and Greene and his eulogists, under the testimony of Pendleton, have endeavored to ascribe the defeat of Eutaw to Col. Lee. Such I believe are the facts. I conclude this matter by saying, that Lee was the superior of Greene, as an officer; the superior of Judge Johnson, as an historian and writer; the superior of Capt. Pendleton in every thing but mendicity and its accompanying vices; and inferior to no man of his rank and command who ever lived.

MAJOR JOSEPH EGGLESTON,

Afterwards a General, was a native of Virginia, and a member of a respectable family of that name. His residence was in the county of Amelia. He was a man of classical education and independent fortune, was bred to mercantile business, and was an adept at that profession. He was among the early devotees to the revolutionary war, and always distinguished himself. Lee soon marked him for his Legion, and gave him the command of the first troop of cavalry. By his comrades he used to be called *little Joe*, by way of compliment. He was, in stature, about five feet eight inches high, but round bodied, strong and active, muscular and willing—the very proper size for a horseman. He was an attentive, obedient, polite, active and brave officer; and the moment his ear caught the word *charge*, the next moment placed him in reach of his enemy, where it always was, with him, *victory or death*.

He retired from the southern army, because he would not submit to Greene's putting Laurens over him. He would have ever served under Lee, and delighted to obey him; but being independent, and the war being on the eve of a conclusion, he retired to the humble walks of civil life, and occupied in farming, and during his life filled many public stations, with general approbation, one of which was that of a member of Congress. He *lived and died both respected and admired*.

MAJOR MICHAEL RUDOLPH.

This brave soldier was born at or near the head of Elk, and raised in humble life. He was injured, from his infancy, to exer-

tion and labor. He was of German parentage, and, as was the custom of that society, he learned, in his youth, only useful things.

When the British army were at the head of Elk, Rudolph gave an active and volunteer devotion to annoy and oppose them, in which he so distinguished himself as to obtain such confidence with Lee, that he received, at the formation of the Legion, a Captaincy, and sometimes served with the infantry, and sometimes served in the cavalry; and was always amongst the foremost.

When Greene re-organized the Legion, Lee and Eggleston, being independent Virginians, withdrew. Rudolph was then entitled to the command of the Legion, and being disappointed, resigned. The other Legion officers also resigned; but being generally soldiers of merit and no fortune, found no redress or alternative, and were obliged to yield to the mandates of tyranny and injustice; they again received their commissions, and became gladiators, under the orders of the new organization.

Major Rudolph was rather a low man, but remarkably strong and muscular; and was as exactly fitted for the command, as the command was for him.

He performed an exploit, while he was under the command of Laurens, the same of which was given to Laurens by the General. This was a piece of injustice and untruth, which Rudolph never forgot nor forgave.

CAPTAIN JAMES ARMSTRONG.

This brave officer was one of the cavalry captains of Lee's Legion. I knew but little of him. He ranked as one of the foremost men of the army.

Col. Washington, Capt. Gunn and Capt. Armstrong, were said to be the first dragoons in the service; but they were no otherwise pre-eminent to many others, except as they surpassed them in bodily strength. In this attribute, Washington exceeded not only these, but all others.

Notwithstanding their desperate valor and great personal strength, Washington and Armstrong were both taken prisoners. General Greene most shamefully attempted to disgrace and break Gunn, but was disappointed; for which, after the conclusion of the war, Gunn challenged him. The challenge not being accepted, Gunn threatened to punish him, ignominiously. While the threat was in force, Greene died, full of care, sorrow and evident anguish of mind, proceeding, as was believed, from a conscious ~~wanker~~ *wanker*, which could not admit either of cure or alleviation.

COLONEL EDWARD CARRINGTON,

Was a Virginian, of one of the most respectable families in Virginia. He acquitted himself well during the war, as an officer of artillery, and as quartermaster-general of the southern States.

He was a tall, well formed man, rather stern in his countenance and manner. His candor, which was proverbial, sometimes bordered on rudeness.

He filled several public stations, always with high reputation. In consequence of the high recommendation which he brought from John Banks, he was invited to and became a guest in his house at Richmond, Virginia, then occupied by me. All these things tended to produce for him a very high respect and confidence. It was this respect and confidence, which induced me to give bonds and some other writings to General Greene, in all of which Greene has acted treacherously, has been and yet is, the cause of much vexation, and has contributed to the writing of these memoirs. They will hereafter lead to some others relating to myself, which I shall be able to do with much more certainty, as to facts and consequences.

Though, I will not charge Col. Carrington with a wilful imposition upon me, relating to Greene, I say most positively, if he had not volunteered his recommendation and advice, that I should never have been entangled with him, more than I had previously been, as before explained. All that he promised as to Greene, was, that he was a man of honor and worthy of confidence, in which I have no doubt he was deceived, and, therefore, without design, deceived me.

ROBERT MORRIS, OF PHILADELPHIA.

The name of this distinguished man having been mentioned in these memoirs, it is necessary that a short sketch should be given. Mr Morris was one of the greatest merchants of the United States. He was in partnership with Mr. Thomas Willing, of Philadelphia, for many years, who was afterwards the President of the Bank of the United States. The firm of their mercantile establishment was *Willing & Morris*. Mr. Willing was so lukewarm in politics, as to have been suspected of disaffection to the struggle with Great Britain. Mr. Morris was born in England, came young to this country, and was a firm patriot, became very popular, and for many years, was a member of the old Congress, from Pennsylvania.

When the old Congress neither had resources nor credit, and when the public interests suffered greatly, Mr. Morris was prevailed on to accept the appointment of Financier, and to take the entire direction of all the public resources. Such was his credit and patriotism, that he gave facilities in all directions, by notes and bills of credit, which were taken and circulated as money.

Such were the circumstances and situation of public affairs, when the southern army became destitute of every necessary. General Greene had made solicitous applications to the Governors of South-Carolina, North-Carolina, Virginia, Maryland and

Pennsylvania, without success. An intercourse took place between Greene and Morris, in consequence of which, Morris authorised Greene to make such contracts as would procure necessities for the army. Greene did, therefore, make contracts with John Banks for clothing, and drew bills on Morris for the payment. The army was fully supplied. Banks, by the means of public authority and flags, went into Charleston, then the head quarters of the British army, and upon his own credit obtained the clothing, and also permission to convey it to the American head quarters.

Banks was afterwards induced to make contracts to supply the army with provisions. Greene's two aids, Ichabod Burnet and Robert Forsythe, were partners in those contracts. The bills which Greene drew upon Morris, were neither accepted nor paid. Banks was, consequently, involved in great difficulties, and was compelled to give personal security, or suffer an attachment upon the goods which he had purchased. Greene became security in some cases. While Banks was devoted to the arrangement of these affairs, he departed this life at Washington, in North-Carolina. Greene was there and administered on his estate; and after getting every thing and the control of every thing that he had, of which no account has been rendered, he also died in 1786. Subsequent to his death, his representatives have induced the Congress of the United States to pay the debts which he had guarantied for Banks; and thus Greene's representatives have obtained all Banks' property, debts and claims—for nothing.

It is now alleged, that the United States did not pay more to indemnify Greene's representatives, than Banks lost in consequence of the failure of Morris to pay the bills which Greene drew on him, as aforesaid, in favor of Banks and Co.

These matters are all fully stated in the foregoing pages, and are repeated here, to show the operation of Greene's bills on Morris, in the first instance, to clothe and feed his army, and the injury which John Banks sustained by their being dishonored, which terminated in his death and the ruin of his affairs, with the injury to his character and credit, and the great benefits which Greene and his successors have unjustly obtained.

SMITH AND BOWDOIN.

Issac Smith and Preeson Bowdoin, were both Virginians and old, regular bred merchants, who understood all the routine of books, invoices, letters of advice, instructions to captains, &c. They were from the county of Northampton, in Virginia, had supported the character of correct merchants, and had moved in the small, cautious scale, from youth to advanced age. They were the partners of James Hunter, who, no doubt, expected to derive, and did derive, advantages in commissions, by their long standing credit. He formed the partnership of Hunter, Banks & Co. as

has been stated, some time afterwards, by which each of them became interested in one sixth part of the new house. For some time, the successes of the new house infatuated them very much; but the disasters of 1781, incident to the invasions and depredations already shown, alarmed them, and they, contrary to right and common decency, advertised a dissolution of the company.

In a very little time, Banks' successes in North Carolina, were so great, that Hunter was induced to go to the scene of so much activity. He undertook to prolong the company, and to extend their adventures. The business, therefore, went on, between the agitations of hope and fear, until some other losses induced Smith and Bowdoin to insist on a dissolution, as advertised in 1781; but in the mean time, Banks had extended his views to Charleston, and to supplying the southern army.

He, therefore, becoming wearied with the unsettled temper of Smith and Bowdoin, authorised me to make a final separation from them, and to purchase their interests; which were accordingly purchased for a trifling sum, in which he, Banks, and myself, agreed to be responsible for all the interests which they held in the company, and to exonerate them from all debts and responsibility. I was induced by the advice and opinion of my brother, to make this contract; and I immediately took the steps which were necessary to close accounts, according to the contract. But unexpected difficulties soon occurred. Smith and Bowdoin claimed their portions of interest in the profits of some vessels, and refused to be charged with the losses on others; and they also refused to allow credits for several items, demurring to entries, &c. for the want of more authentication. They insisted on keeping all that they had received as their individual gains; and they found the better hopes to succeed, in consequence of the death of Banks. He had the means of proof, which no where else existed, all which have disappeared under the administration of Gen. Greene.

The foregoing developments show why Banks' business was done under the firms of Hunter, Banks & Co. John Banks & Co. Banks, Burnet & Co. Robert Forsythe & Co. James Hunter & Co. and John Banks. The causes of this variety of firms, are now explained. In consequence of the death of John Banks, and the versatile characters of Smith and Bowdoin, their final unfairness in settlement, the total destruction and ruin to Banks' affairs, by the administration and iniquity of General Greene, are the reasons why more detailed statements cannot be made.

Those great, and sometimes prosperous concerns, were thus sunk into ruin, from which there is no relief; and the succeeding calumnies published by historians, have at the same time given me data, which otherwise I could not know, and have imposed upon me, in vindication of the memory of my much-venerated brother, the writing and publishing these memoirs. The regard which I have for

myself, for my cause, and for truth and justice, has required me to adhere strictly, as far as I can, to those attributes.

In some of these firms, I acted as the agent of John Banks, and by the contracts made with Smith and Bowdoin, had obtained an interest in the firm of Hunter, Banks and Co.; so that John Banks and myself were the representatives of this whole concern; and had he lived, I have no doubt that much wealth would have been secured to each from it.

The reader is now referred to the first part of these memoirs, giving illustrations, concerning which no accurate schedule or stated account has been rendered.

I have also given memoirs of General Greene to his death in 1786, to which I also refer, to include the gladiatorial war and monarchy.

JAMES HUNTER.

James Hunter was born at Fredericksburg, in Virginia. His father was a Scotch merchant. Hunter was well educated in England, Scotland and at St. Omers, in France, where he learned to be a polished gentleman, which he practised throughout his life. He received a mercantile education in London, and married an English woman, who, also, either had, or pretended to have, similar qualifications. James Hunter was a very polished man, and moved in the first circles of society, wrote a most excellent hand, of which he had such command, that he could make accurate imitations of the writing of others; but he had no other qualifications as a merchant, except his promptitude in writing letters, keeping books and accounts. His genius consisted in plausibility, in fondness for places of festivity, and in the expenditure of money, which he neither had or could get without effort, nor knew how to make efforts for getting it. He was about ten years older than John Banks, and had the entire command of his affections and confidence. It is impossible to ascertain the extent of the injury which Banks sustained from him. It is true, that Banks discovered his error; but it was too late for prevention, and he ceased to exist too soon for remedy or reparation. If Hunter rendered himself worthy of any estimation in society, except as an accomplished man at balls, music parties and sumptuous dinners, equally as landlord or guest, his other attributes of character are not recollected, nor are they now believed to have existed.

In the difficulties and failure of the houses at Charleston, and the effect upon the affairs of the house of Hunter, Banks and Co. Hunter contrived to secure something for his friends and family, the particulars of which I cannot show.

Want of candor, want of moral integrity, an ambitious pride to do something equal to his education and pretensions, rendered him fit for nothing; and I expect that no man of equal endowments, neither addicted to gaming nor drunkenness, ever drew

more from society without restoring any thing. The only favor ever conferred by him upon the community, was his exit. Thus society saved as much as he would have consumed, and, therefore, society gained by his death.

ICHABOD BURNET,

Was a native of New-Jersey; his father resided not far from New-York. He was bred to the business of a merchant, for the details of which he was well qualified. He became an aid-de-camp to General Greene at an early period of the war, continued in that station until the evacuation of Charleston, and was moreover his confidant, friend and inseparable companion.

Burnet was a small, slender man, of sallow countenance and crabbed temper, in the manifestation of which, his acquaintances allowed him the full enjoyment. While he was with Greene as his aid and confidant, he formed the partnership with John Banks, called Banks, Burnet and Co. He had no capital; but was concerned in the large purchases and contracts made by Banks before Charleston was evacuated, and likewise in clothing and feeding the army. After the evacuation of Charleston, the partnership was announced, and Burnet soon after carried with him to the Havanna, a large assortment of dry goods, which had been purchased from the British merchants of Charleston, amounting to about £9,000. He soon after died at the Havanna. John Banks also died, at Washington in North-Carolina; Greene administered upon his estate, and has rendered no account of it. Greene's biographer, Judge Johnson, acknowledges that he received great assistance from Burnet's family and Banks' relations; but that, no explanation being given, it is presumed that he got the benefit of the goods which were carried to the Havanna, of which no account has been rendered, and of the assistance from Banks' relations, for nothing; because Greene's estate was afterwards guarantied in the payment of these goods which had been purchased of the British merchants. Greene's representatives were afterwards fully indemnified by two acts of the Congress of the United States.

When Burnet went on from South-Carolina to the northward, he saw me at Richmond, and delivered into my possession, as the property of Banks, Burnet and Co. sundry bills, amounting to \$20,000, drawn by General Greene on Robert Morris; in consequence of which, a copper-bottomed brig, called the Comet, then loaded with tobacco, was immediately purchased from Mr. W. Pennock, and sent to sea, on account of that house. This vessel arrived safely in the West-Indies, where the cargo of tobacco was worth more than the cost of the brig and cargo. I understood that the proceeds went to the discharge of one of the debts which

had been contracted for the aforesaid goods. A written statement of these matters was rendered by me, was found by Greene among John Banks' papers, and probably now is in the possession of Judge Johnson. Mr. Hunter also had the possession and control of many other bills of the same kind.

Burnet applied to me as he returned, to undertake some other business for the house. I not only declined the business, but to have any connexion with the house. Burnet and Hunter travelled together from Petersburg to South-Carolina. I neither ever saw or had any transaction with Burnet afterwards.

MR. ROBERT FORSYTHE.

This personage was an Englishman by birth. He came to, and resided at Fredericksburg in Virginia, as an assistant in the mercantile establishment of Charles Yates, who also was an Englishman. At the beginning of the revolution, he entered into the military service, as a volunteer, and acquitted himself so well, as to have attracted and obtained the notice and confidence of General Greene, which he preserved during his life. He performed the office of commissary-general to the army which Greene commanded, and also resided in his family as one of his aids. While acting in these capacities, he entered into a partnership with John Banks, under the firm of Robert Forsythe and Co. Banks made large contracts in Charleston, with British merchants, for goods, and another contract to supply the army with provisions, in both of which Forsythe was interested. Banks wrote to his partner, James Hunter, in Virginia, a private letter, which Forsythe undertook to forward by an officer, enclosed to Governor Harrison of Virginia, and also enclosed to Hunter a large number of bills, drawn by General Greene on Robert Morris—Judge Johnson says they amounted to £8,000. General Scott, who commanded in Virginia, was induced, by the suggestion of Captain Shelton, who brought the letter, to open it; by which means the partnerships were divulged, and created great clamor against General Greene, on the suspicion that he was concerned.

Robert Forsythe had but little or nothing. He had married the widow Huston, of Fredericksburg, who had but little more; so that when he entered into partnership with Banks, he was a man without capital. He was a small, well set, handsome man, of excellent manners and address. Having a counting-house education, he was perfectly acquainted with the routine of business. Although Greene was angry with him, or pretended to be so for a time, yet he soon became not only reconciled, but acknowledged many obligations to him. These contradictions induced many to believe that Greene and Forsythe were secretly partners in the trade in which Forsythe was a partner.

It is certain, that the great store of goods which he received from the English merchants at Charleston, for which Greene was security, ought to have been appropriated to pay those merchants. It was for those debts Greene got Cumberland Island, and received other indemnification from Congress for the goods. Forsythe's representatives are required to show what became of the goods, &c. how Greene got Cumberland Island, and how they were paid for, except by the acts of Congress.

GENERAL THOMAS NELSON.

In the years 1780 and 1781, Virginia was invaded by several British armies or enterprises; the first, by General Matthews; the second, by General Benedict Arnold, the celebrated traitor and deserter from the American army to the British; the third, by General Leslie, who occupied Portsmouth for some time; the fourth, by General Phillips, who died at Petersburg; and the fifth and last, by Lord Cornwallis, who, after overrunning a great part of Virginia, was captured at Little York, having surrendered, in the autumn of 1781, to the combined American and French forces under the command of the immortal Washington.

The invasion of Arnold was sudden, rapid and destructive. He landed on James river, at Westover, about 25 miles below Richmond. Such was the secrecy and celerity of his movements, that Richmond (as Washington was in the last war) was entered and taken by surprise. Havock and desolation having marked the short career of Arnold, he withdrew, retired to his shipping, and soon departed.

The Legislature of Virginia, in the spring session of 1781, met at Charlottesville, about 80 miles west from Richmond, to which place the public offices were removed, where they were suddenly surprised and dispersed by a party of British horse, under the command of the partisan and bloody Colonel Tarleton. The Legislature then convened at Staunton, still further west, and beyond the Blue Ridge of Mountains.

Mr. Jefferson, then the Governor of Virginia, finding himself not well qualified to act in a military capacity, resigned the government while the Legislature were sitting at Staunton; who immediately elected General Thomas Nelson in his stead, with the universal consent and applause of every patriotic bosom and tongue.

General Nelson immediately placed himself at the head of the Virginia militia, and wherever usefulness or danger invited, he was always to be found. The camp was to him the field of pleasure; the tent, his palace and solace. He identified himself with his country, and might literally have said, "all which I saw, and part of which I was."

The constitution of Virginia required, that the Governor should, upon all occasions, take the advice of the Council of State, or a majority of them. There were eight, of equal power and rank. So soon as the new Governor put himself at the head of the militia, and devoted himself to the duties of a military commander, some members of the Council complained and expostulated with him; upon which occasion he replied, "My first and greatest duty is to defend my country; that duty requires my presence in the camp. If you, gentlemen, will accompany me, and hold your sittings at a convenient distance, I will consult you, as the constitution requires; if you will not, I will conduct the government as well as I can, without your advice; but I will save my country, if I can."

General Nelson was faithful to his promise and duty, and called forth every man and every thing upon whom and upon which the excitements of patriotism, the routine of duty, or the strength of government could act. No horse, wagon, corn-house or meat-house was exempt from his requisition and impressment. These measures were high-handed, to be sure; but they were necessary. The purposes were great—they were urgent; the consequences were successful and glorious; and although the great achievement of taking the entire British army, may be ascribed to other causes, I ever considered it to have been greatly due to the energy of General Nelson.

General Nelson, whose name is given to one of the counties of Kentucky, and to another in Virginia, lived and died a patriot, statesman and soldier of the most incorruptible integrity; and although I do not disparage others of his day, by giving a preference to him, I may say he was second to no man.

After the capture of Lord Cornwallis, General Nelson retired from public office and duty. His career was short, useful, successful and glorious. He committed hundreds, perhaps thousands, of infractions of the constitution; he knew the responsibility; he met it, and saved his country. All that he did was required by public exigency and his own duty; and who or where was the man to censure or condemn him? Upon him all eyes were or ought to have been turned, with the highest and most honorable emotions of gratitude. If any complaints were made, they did not reach my ear, or are forgotten, as though unworthy of memory. But yet, a course of public duty so conspicuous, in which private rights and property, necessary for the public defence and exigency, had been so often seized, impressed, used and destroyed, that the Legislature of Virginia, which sat soon after, passed an act of general indemnification and amnesty, in favor of that man by whose energy and greatness of soul they then enjoyed the privilege of meeting as lawgivers, and of passing that very act. They knew that if conduct like Nelson's had not been rigidly enforced, a hostile army might have held their places.

They knew that they were mainly indebted to him for the privilege of meeting, acting, deliberating and voting where they were, and they passed the act, which was necessary for his private security.

General Nelson, while in service, excited by his patriotism, did such things as required the interposition and protection of the government, which was spontaneously and universally afforded.

GENERAL DANIEL MORGAN.

It was unfortunate for the country, for the army, and for the cause of humanity, that Greene obtained the appointment to the command of the southern army, after the defeat of Gates. It is true, that Gates deserved his fate, not only because he had rushed on in pursuit of the British, flying, as he supposed, with less than half the number of his own troops, when, contrary to his expectations, they were advancing in the most perfect order and preparation for battle. In such a situation, Gates' numbers, consisting mostly of militia and raw troops, were an incumbrance to each other. Gates was surprised, his troops were in confusion, and being vigorously attacked, were dismayed, defeated and routed. But after some time Gates received reinforcements, collected a considerable number of stragglers, and was joined by the celebrated General Daniel Morgan, who had distinguished himself at Quebec, Saratoga and other places. The late disaster had taught Gates prudence; he then began to give manifestations of capacity for command. He had detached Morgan, with six or seven hundred troops, consisting of Washington's cavalry, Howard's regiment of Marylanders, and some militia. Morgan was far from succor, and was pursued by the British Colonel Tarleton, with his bloody legion and a regiment of regulars, whose aggregate number was greater than the forces commanded by Morgan. Tarleton advanced rapidly; Morgan continued a steady, orderly retreat, encouraging his men by his language and actions, always assuring them that he would give them a victory, if they would fulfil their duty and obey his orders. The troops were thus inspirited, and continued their retreat, until Tarleton had approached them so nearly that Morgan thought it was time to make ready for battle. In doing this, he made no particular selection of position; but made his stand and arrangements for battle, where he was overtaken. He prepared for battle, drew up the militia in front, and said to them, that after giving two good steady fires, he wished them to make a rapid and disorderly retreat, and form again after passing the regulars. They did so, and the British troops pursued in broken lines, were received by the regulars with the bayonet, and were instantly routed, killed, taken, or fled. He fulfilled his promise of victory, and in a short time killed, took and chased away Tarleton's whole army. The

killed and prisoners exceeded in number his whole force. For the particulars of this celebrated action, the reader is referred to Lee's Memoirs. It was not only very fortunate at that time for the cause, but stands foremost and unrivalled by all the exploits of the revolutionary war.

After Morgan had received his appointment and command from Gates, Gates himself was displaced, and Greene was put at the head of the army he had commanded. After the defeat of Tarleton, Greene hastened, with a very few, to Morgan's little army, and assumed the command. He totally changed Morgan's plan and purpose of retreat, and conducted himself with such arrogance, stupidity and hauteur, that Morgan immediately withdrew from the service, and could not be induced ever again to hold a command under Greene.

Morgan had intended to conduct the prisoners which he had taken, through the upper parts of North Carolina and Virginia, to a place of safety, and to have roused the daring spirits of those regions to return with him; and there was every reason to suppose that he would have had with him those distinguished, brave men who had defeated and destroyed Ferguson at King's Mountain, with the addition of many more from the transmountain counties of Virginia; so that he would have returned in a very few weeks with 2,500 or 3,000 men, confident in themselves and in their commander. He would have had the Colonels Campbell, Shelby, Sevier and Williams, all fearless of danger and panting for battle. But these pleasing and reasonable projects were destroyed by the execrable conduct of Greene, which will be hereafter shown.

The public service being thus injured by the withdrawal of Morgan, Greene harrassed his troops with much and severe duty; but being considerably reinforced by regulars and militia, and particularly by Lee's Legion of about 300 picked men and horses, he followed the example of his predecessor, Gates, and sought battle with the enemy. The battle of Guilford ensued, when a British army of less than 2,000, more than half of which were Americans who had joined that service, met, fought and defeated Greene, who then commanded about 4,500 men. How unlike was this to the success of Morgan over Tarleton! There, Morgan, with but little more than half the number which Greene commanded, killed, took and chased away the whole detachment.

Greene rallied as many of his defeated army as he could get, received many reinforcements, and pursued the British army. He found them, and sought battle with at least double their numbers. The armies met at Hopkirk's Hill, near Campden, and Greene was again defeated. If he had used proper means, and had not compelled Morgan to retire, as has been seen, and had co-operated with Generals Marion, Sumpter and Pickens, he might

have captured Cornwallis and his army, instead of again sustaining a defeat, as at Guilford court-house, Cornwallis having retired to Virginia, he might and ought to have captured the troops that beat him at Hopkirk's Hill.

Sumpter, Marion and Pickens of South-Carolina, and Col. Lee with his Legion, performed a great deal of hard and successful service. They had taken many posts, and regained much of the lost country. Lee and Pickens laid siege to the fortress of Ninety-Six, in South-Carolina; Greene arrived, took the command, and although Colonel Cruger, the commandant, was willing to have withdrawn to Charleston and surrendered the place and stores, it was refused. Unconditional surrender was required, and was refused. A storm was ordered; the besiegers were repulsed with great loss, and many gallant men were wantonly destroyed, among whom Lieutenant Samuel Selden, brother to Col. Miles Selden of Richmond in Virginia, lost his arm. The British army advanced; Greene withdrew, and the garrison of Ninety-Six retreated to the neighborhood of Charleston.

It was now evident that the British did not intend to prosecute the war with vigor. Cornwallis had been captured in Virginia; Rawdon had retired and become prisoner at the same time. The British army in South-Carolina was left under the command of Colonel Stuart, and Greene determined to win a laurel even from him. He again made every preparation and exertion, and determined either to capture Stuart or force him into Charleston. Stuart gave him battle, according to his own desire, at Eutaw Spring, and again defeated him with inferior numbers. So that Greene, while he sacrificed the lives of his men and the interests of his country, seeking laurels, was everywhere disappointed, and particularly in four actions: 1st, By Cornwallis, at Guilford; 2d, by Rawdon, at Hopkirk's Hill; 3d, by Lieut. Colonel Cruger, at Ninety-Six; and 4th, by Lieut. Colonel Stuart, at Eutaw.

So much has been said relating to Greene's military acts, that a contrast may be drawn between him and Morgan. Greene never, and Morgan always successful; the one adored, the other disliked by his soldiers; the one sure of victory, the other sure of being defeated. A contrast may be also drawn between such a prosecution and termination of the war, as Morgan would have made, and such an one as Greene did make.

Notwithstanding the real value and unanswerable contrast which has been exhibited, the Congress of the United States passed resolutions favorable to Greene, and by way of getting some reputation for themselves, represented him and many of his meritorious officers in the highest terms of eulogy; among whom, they named the same Jemmy Jessamy Dandy Toilet, whom I have before mentioned by the name of Pendleton. They also gave to

Greene a stand of British colours, inferring thereby that they were taken by him; but they were not sufficiently steeped in folly or vice, to say where and by whom they were taken. They also gave to him, upon another occasion, the two pieces of cannon which Morgan had taken from Tarleton at the Cowpens. This was injustice to Morgan; and it was a misfortune to the country, that he was placed under the command of Greene.

GENERAL EDWARD STEVENS.

This distinguished soldier, at the beginning of the revolution, was a merchant, and resided at Culpeper court-house. He was among the foremost and most zealous patriots of the cause, and was appointed to the command of a minute company, in the year 1775. From that time to the end of the war, he was faithful to his principles, which he supported at the hazard of his life. He commanded the militia of Virginia, at the battle of Guilford court-house, where he was severely wounded in the thigh. The troops which he commanded did their duty; but the action was lost.

Stevens was connected with several respectable and leading families of that country, who were all devoted to the cause. He was a large and very comely man, with a countenance of great firmness and kindness. No man was more brave or more benevolent. He deserved no enemies, and his friends were numerous.

COMMODORES JAMES AND RICHARD BARRON,

Were among the most dauntless heroes and uniform patriots of the revolution. They were, in their sphere and station, what General Morgan and Colonel Henry Lee were in theirs—always ready to do, and at the right time, with vigor and effect, what ought to be done. Like Morgan, they were defective in education; but like him, the first named, in person, manners, stature and athletic form, bespoke qualifications for command and for personal duty. As sailors, they were hardy, brave, indefatigable and persevering; as patriots, they were inflexible; as gentlemen; they were courteous, hospitable and acceptable to all. They resided at Hampton, in the most exposed situations, from which they could discern objects at a great distance, and nothing escaped their vigilance. They gave timely notice to the government, of the approach of the fleet which conveyed Arnold and his banditti to James river; but the information was not properly regarded. The plunder and devastation committed at Richmond, on the known whigs, were the speedy consequences.

Commodore James Barron was the father of the late Commodore Samuel Barron, and the present most honorable, much persecuted, injured and worthy Commodore James Barron, of the American navy. The sons were worthy of such a father; they were literally habitual sailors from their infancy.

PATRICK HENRY.

This great statesman, patriot, orator and lawyer, was among the foremost of the revolutionists. He obtained the confidence of his country and the hatred of his country's foes. His private life was amiable, humane, courteous and blameless. He has been so much before the world, and always in the highest credit and veneration, that it is not necessary here to give new plaudits upon a theme, which, though not exhausted, has received the approbation of the greatest, wisest and best men. I will not say that he was pre-eminent among the great, the wise and virtuous; but most certainly, he was the second of no man, in these distinguished relations.

He was twice the Governor of Virginia, often a distinguished member of the Legislature, and might have had other offices; but his fondness for domestic life and devotion, to his numerous family, induced him to decline the honors which his popularity would have ensured.

In a much admired book, entitled "Wirt's Life of Henry," the biography of this great man, now referred to, may be seen.

GOVERNOR JOHN TYLER.

At the beginning of the revolution, this gentleman was a lawyer by profession, and stood among the foremost and most efficient patriots of Virginia. Besides the benefits of his profession, he possessed a considerable estate in lands and slaves, which was managed with great skill and profit. He was among the revolutionary leaders of the State, and in ardor and soundness of principle, and honesty of purpose, was among the foremost; the friend and associate of the great Patrick Henry, nor was it thought he ought to yield to any other, except to that immortal man. Between these great and illustrious men, there was a strict alliance and friendship. Mr. Tyler was first called to the bench of the General Court, from which he was solicited to accept the office of Governor. When the time limited by the constitution expired, he was then appointed to fill the office of District Judge of the Court of the United States. In all these and in all other stations, he acquitted himself with great fidelity, industry and talent, and had as few enemies and as many friends, according to the number of his acquaintances, as any other man.

He is the father of his Excellency, John Tyler, the present Governor of Virginia, whose public career, though short, has been brilliant and promises to do honor to his country and to such a father.

GOVERNOR HARRISON.

Benjamin Harrison, of Charles City county, on James river, was, for many years, the Speaker of the House. In the year 1781, after the gallant and meritorious Nelson resigned, he was the Gov-

ernor of Virginia, and filled that office when some bills of Gen. Greene on Robert Morris, were stopped and sent to him by Gen. Scott. These bills were part of those which Greene drew in payment for the clothing supplied by John Banks to the southern army, for which he received the gratitude of every man in the army, and the particular acknowledgments of General Greene.

Robert Morris having failed to accept and pay these or other bills of Greene, in favor of Banks, produced, as admitted by Judge Johnson, very great losses to Banks.

Governor Harrison, now spoken of, was the father of General W. H. Harrison, now a member of the Senate of the United States.

Governor Harrison, his brothers, sons and other connexions, were zealous and active friends of the revolutionary cause, and, without exception, deserved well of their country.

COL. THOMAS NEWTON, OF NORFOLK.

He was one of the most firm and incorruptible patriots who ever lived, and the constant rallying point for the whigs of his county; and being mild and amiable in his deportment, he was much esteemed and respectfully regarded by those of opposite sentiments. There were many in that quarter, who always viewed him as their guardian and protector. But for his example and a few more compatriots, Norfolk would have fallen under British domination, among whom, none were more steadfast than Colonel Matthew Godfrey, of the same county. Col. Newton was benevolent, kind and hospitable; and although he possessed an ample fortune, which he received from his father, his care and prudence enabled him to rear and educate a large family, and to increase his estate. I have no hesitation to class him among the genuine patriots and authors of the revolution. More distinguished men there were; but a better and more candid and truthful man, was not to be found.

PAUL LOYALL, OF NORFOLK.

Colonel Newton was connected by marriage with another firm and useful patriot. His name was Paul Loyall. He might really be called the sheet anchor of Norfolk. He had been devoted to the sea in his early life, and thereby obtained the title of Captain; but in real patriotism, public and private worth and utility, deserved the title of General. Oft have I been entertained at his hospitable board. His whole conduct, both at home and abroad, proved the noble independence of a sailor's character. Methinks that while I am writing this sketch, I can behold his sturdy form and manly countenance, advancing on his limping leg, to offer his hand and his heart, with a sincerity and generosity which beamed in his countenance.

HENRY TAZEWELL.

Henry Tazewell, of Williamsburg, was among the ardent patriots and sages of Virginia. While young, he was a conspicuous member of the bar, and constantly a member of the Legislature of Virginia, in the times that tried men's souls. He was afterwards made Chief Justice of the General Court of Virginia, and from thence called and really solicited to become one of the Senators of the United States from Virginia; in which trust, he died. He was the father of the present Senator, Littleton Waller Tazewell, who ably represents his meritorious father, and now stands second to no man in talents and correct republican principles. Henry Tazewell was the friend and political associate of Patrick Henry, John Tyler, and many others of the same sentiments and pursuits.

When the revolutionary events of any part of the United States, are the subjects of historical publication, such men as John Strode, Henry Tazewell, John Tyler, Judge George Wythe Pendleton, Judge Bartholomew Dandridge, Commodores James and Richard Barron, Willis Wilson, Champion Travis, Colonel Josiah Parker, Miles Selden, Robert Goode, Nathaniel Wilkinson, Thomas Newton, Matthew Godfrey, Thomas Prosser, Daniel L. Hylton, Archibald Cary, Zachariah Johnson, Benjamin Harrison, George Mason, William Grayson, Richard Henry Lee, Richard Parker, Richard Bibb, Charles M. Thruston, Isaac Lane, French Strother, and many others, ought not to be totally omitted; and though such notices may serve no other purpose, juvenile minds may be taught, that active patriotism and personal devotedness, may hereafter entitle their names to be recorded in the temple of fame; there posterity may point to the record, and in the most beatific feelings, say, "this was my sire, or grand sire."

In the large State of Virginia, there were many others, equally patriotic, and equally devoted to the cause; but those whom I have named, I often saw and well knew.

COLONEL ROBERT GOODE, &c.

There were, in the vicinity of Richmond, four patriotic gentlemen, whose devotion to the cause and influence among the inhabitants, were great and useful. Their names were, Col. Robert Goode, Col. Turner Southall, Col. Nathaniel Wilkinson and Maj. Thomas Prosser. The last of these, when Richmond was invaded and pillaged by Arnold, in the winter 1780 and 1781, by the means of his own slaves, wagons and carts, removed the public archives to a secure place in one of the many recesses of Chickahominy Swamp; and when the danger was over, he replaced them in the capitol, at Richmond. To his patriotism and usefulness, may be added, that he was among the most hospitable and benevolent of a most hospitable country. Many equally favorable things

might be said of many others; but as the city of Richmond was the Capitol of the State, and Virginia did much and suffered much, the prominent men near the Capitol are noticed. From Quebec, Florida, and the Mississippi, Virginia patriotism was exhibited in the bravery and by the blood of her sons.

COLONEL MILES SELDEN,

Was a native of the county of Henrico, which includes the city of Richmond. His father was the Rector of the Parish, a firm whig, and a most excellent man.

Colonel Selden was zealously devoted to the revolution from its commencement. He married very young, and, therefore, did not become attached to the army; but his younger brothers, Joseph and Samuel, were officers at the end of the war. The latter lost his arm in the storm ordered by General Greene, of the fort in South Carolina, called Ninety-Six, where he was wounded, and where many fell. Col. Selden was ever on the alert, when he could be of service to his country. He raised a troop of volunteers, and served at the siege of York, in a very dangerous post. The writer of this was one of that troop, and knew him well, and also knew, that there was not a firmer patriot, nor a better citizen or soldier, devoted to the cause. He resided within three miles of Richmond, on the banks of James' river, where he raised a numerous family, one of which is the Register of the Land-Office in Virginia. How well I knew him, and how much I esteemed him, this memorial will attest.

JUDGE JAMES MERCER.

This patriotic gentleman resided at Fredericksburg, and was among the leading whigs of the times. He was moreover an excellent lawyer, and for some time a Judge of the General Court, from which he was elevated to the bench of the Court of Appeals, which office he held at the time of his death. From the beginning to the end of the revolution, he never faltered or hesitated in his political principles and devotion.

In the latter part of the revolution, he was very ably and zealously supported in those principles, by his brother, Colonel John Francis Mercer, who greatly distinguished himself in the year 1781, by raising and commanding a corps of volunteer cavalry, consisting of young men of fortune and respectability. He served first under General Lafayette, and terminated his service under General Washington, at the siege and surrender of York town.

These worthy and distinguished men are now ably represented by General Charles F. Mercer, a member of Congress from Virginia, whose patriotism, zeal and usefulness prove him to be worthy of such a father and such an uncle.

JOHN STRODE, OF STAFFORD.

This extraordinary man was a Pennsylvanian by birth, a quaker by profession, and was bred to industry and usefulness from his infancy. Whether we should consider him more of the farmer, mechanic, or skillful and accurate accountant, I cannot say; because I knew him well, and also knew him to excel in all these things, but in which the most, I could not distinguish; nor can I prefer, of several mechanical callings, in which he was the greatest adept, because it was his singular fortune to be, or soon to become, the master of whatever he undertook.

Some time before the beginning of the revolution, he became a resident of the county of Stafford, as the superintendent of a farming establishment, and acquitted himself so well in that avocation, that he was soon entrusted by his employer, Mr. James Hunter, a Scotchman, in the superintendence of a forge and other manufactories, about two miles from Fredericksburg. He was equally successful in this more elevated scene. After the war had commenced with Great Britain, he obtained the leave of his employer to establish a manufactory of small arms and other utensils necessary for the portending war. Thus authorised, and without any other aid, he made an excursion to Philadelphia and other parts of Pennsylvania, and brought with him many mechanics, of different avocations. These were soon fully employed, and most rapid progress in making muskets, pistols, carbines, horsemen's caps, camp kettles, spades, shovels, &c. was made. Thus he supplied all articles necessary for a camp, on very short notice, of the best quality. Mr. Strode was not only a good accountant, but master of every branch of business, so that a stranger being in the shop of one kind, would suppose that this was Mr. Strode's particular avocation; but he was master of all, and being a man of indefatigable industry himself, he required it from others. Such talents, such an opportunity, and such a devotion to public utility, enabled him to render to the United States, in arms and accoutrements, more essential service, than any other individual of Virginia.

My father, Gerard Banks, resided within three miles of his establishment, and formed for him a respect, which ended only with their lives. It was reciprocal. Mr. Strode was a whig and active patriot, being always among the foremost to repel an invading foe or enemy. I am convinced that the example and principles of Mr. Strode, made the early impressions upon the mind and life of John Banks, which have been already explained.

For my own part, I was so much excited and animated by him, that at the age of sixteen, I left a literary establishment at Fredericksburg, and placed myself, with my father's consent, under his direction, as a clerk, so that I knew Mr. Strode well.

Mr. Strode, being in a low state of health, retired from his usefulness to his own private property, about thirty miles from Fredericksburg, in the county of Culpeper, on the road from Washington City to the residences of Presidents Jefferson and Madison, was often honored by their friendly visits, and was also known and honored by many other leading men of Virginia. He had established some manufacturing mills near his residence, and by the misfortunes and losses incident to the nonintercourse and embargoes, and to extensive speculations in flour, and in endorsing for his friends, he received a shock, which terminated with his ruin, and being far advanced in life, he never restored his affairs. He went afterwards to North-Carolina, and was employed as an improver of some of the waters of that country, where he died, and now lies among those who knew not his early worth and value, nor how much the United States owed to the exertions and successes of this truly great and useful man, and most devoted patriot.

General Henry Lee, in his memoirs, vol. 2, page 193, takes honorable and correct notice of Mr. Strode, as follows: "General Weedon was requested to collect a corps of the militia, in the neighborhood of Fredericksburg, for the purpose of covering the most important manufactory of arms in the State, established at Falmouth, a small village on the north side of Rappahannock, one mile above Fredericksburg, and under the direction of Mr. Strode, a gentleman singularly adapted, by his genius and habits, for its superintendence." General Lee was well acquainted with Mr. Strode, and was often a guest at his hospitable house, while his circumstances were prosperous, when he abounded in wealth, and was surpassed by no man in all the useful duties of life.

JOHN STRODE AND JOHN BANKS.

I have now presented to the consideration of all readers, many facts of great importance, and some sketches of revolutionary patriots, of great usefulness, and I might also present many others. What I have done, was necessary for the vindication and posthumous fame of my long dead and much lamented brother, patron and benefactor; he was also the benefactor of his country. I have also presented Mr. John Strode as the patron, benefactor and guide of my youth, and the friend of my brother.

Although the conduct of these my patrons and benefactors, tended, by different means, to the same purposes, they were not only in my estimation, but by historical results and just deductions of the facts which have been exemplified, among the pre-eminent patriots of their country, and stood among the foremost; and if conclusions were to be drawn from what they did, in connection with their motives, were the inferiors of none.

In regard to the facts which I have stated relating to each, they were known by presidents Jefferson, Monroe and Madison, and Chief Justice Marshall; besides, they were of general notoriety. This allegation is made here to confront the insinuation made by Judge Johnson, that General Greene's confidence in John Banks, had been excited by Capt. Pendleton, one of his aids, who had recognized Banks with favor and respect; so that besides the exalted names of individuals now living. I have a long catalogue of others, who are no more, showing that the calumniated John Banks was in no need of the recognition and countenance of Captain Nathaniel Pendleton.

This Pendleton was the son of a father of the same name, who resided seven or eight miles west of Culpeper court-house, who, though a respectable man, was not esteemed as the superior of Banks' father, by any body who knew them, more than the Captain himself was, in his youth, thought to be the superior of John Banks, in private worth and respectability. These things are now stated in candor and kindness to Judge Johnson and Doctor Caldwell, that they may, if they please, extend their inquiries to the origin of John Banks, and also to that of his calumniator, Captain Nathaniel Pendleton. He also was the calumniator of Gen. H. Lee, who, if not the *foremost man of all the world*, of his age and rank, was certainly the second of no man, if, during seven years of service, in numberless situations requiring talents, bravery, and prompt execution, the commission of no fault or the neglect of no duty, entitled him to such an appellation.

But to return to John Strode and John Banks. While the public functionaries of the United States have given many manifestations of gratitude for former services, particularly in the revolutionary war, will not some expanded bosom and liberal heart take some pains and pleasure to cause to be erected, in memory of these patriots, some permanent testimonial of their worth, at or near Fredericksburg, in Virginia, the birth-place of the useful devotion of their lives, and to say at least, "here lies a revolutionary patriot, &c. *He was the only man in existence, who had the will and the means to serve and save his country.*"

JUDGE WILLIAM JOHNSON.

This personage is the author of two large, ponderous, folio volumes, entitled "the Life of General Greene," which contain almost one thousand pages. They have all the properties of novels, except that of affording amusement. They have excited the indignation of many, and the severity of several persons. They have both enabled me and excited me to write these pages. Having taken a good deal of notice of these declamatory rhodomontades, (for such they are,) in the vindication of my brother, John

Banks, for the information of readers, I shall now say a few parting words to the Judge himself.

William Johnson, now one of the Associate Judges of the United States, is a resident of Charleston, South Carolina. He is the son of a blacksmith, who resided in Charleston, where his success enabled him to give to his son some education; and the boy being smart, forward and impudent, was destined to the profession of a lawyer. Some success in this profession, the influence of party politics, and local residence, caused him to be elevated to the bench of the Supreme Court of the United States. What are his general deportment, qualifications and capacity, I have had no opportunity of judging; but if I may form an opinion from his labors as an historian, I should pronounce him a bold, impudent, unblushing, unhesitating partizan, who makes his opinions bend to his feelings or purposes; in consideration of which, I pronounce upon him that he shall descend from the bench, resign his situation, withdraw from public view and social intercourse, devote himself to solitude, sackcloth and ashes, contrition and repentance, and employ the remnant of his life in atonement to mankind, and particularly to the manes of John Banks. By such means, he may hope to receive a pardon for his offences upon the living and the dead. And he is particularly enjoined and perpetually restrained from sitting and judging in any cause where he shall find the names of John Banks or Henry Banks; and it is further decreed, that the Chief Justice of the court shall cause this decree to be read to the said William Johnson, at every term of the court, so long as he shall remain a Judge thereof.

DOCTOR CHARLES CALDWELL.

I am sorry that I cannot give any thing like a sketch of this literary personage, connected with the smallest knowledge of facts. I know this, that he is by birth a North-Carolinian; but whether he belonged to the whigs or the tories of that unfortunate State, during the revolution, I know not. If I were to judge from his conduct as a petty politician of modern times, his romancing history, and his censures upon my brother, equally unprovoked, untrue and unnecessary, I would conclude, that from his boyhood, he was of the tory party, an enemy to republican rights and to civil liberty. I am aware of his self-sufficiency, of his literary attainments, and of the entire frivolity of his character. But again, taken individually, I have but one charge—that he has been the consummator of my brother, who as little deserved it as Caldwell deserves the apotheosis. I have not the means to give any thing like a view of him.

Such has been the general state of my health in preparing this vindication, that I have found it very difficult to preserve proper order in the general and necessary view of facts, and in noticing and replying to certain things which appear here and there in Judge Johnson's voluminous and desultory publications. Another reason is, that I could not obtain the possession of his publications until the foregoing pages were prepared and in the press. This explanation will account for some irregularity in the arrangement of matter and some repetitions, and prevent criticisms, the causes of which otherwise might not have happened.

It will be perceived that the following extracts ought to have appeared before some other things which have been read:

Volume II, chap. xvii, page 318: "It was by one of the excursions of this gentleman, Mr. Watties, to North Carolina, that Gen. Greene was led into negotiations with John Banks, with whom he afterwards formed those contracts, which much embarrassed the latter years of his life, threw a cloud of calumny and suspicion over his reputation, (not yet totally dissipated,) had nearly exhausted all the wealth which the gratitude of the southern States had heaped upon him, and left his family to want."

Volume II, chap. xviii, page 360: "Banks complied with his undertaking, and in a few weeks, the army was comfortably clad, and, as General Wayne says, better clothed than he ever saw American troops.

"But this unfortunate negotiation, in the sequel, involved Greene through a course of consequences the most remote and improbable; first, in the most injurious suspicions—suspicions still resting on the minds of many; and then in pecuniary embarrassments, vexatious, distressing and ruinous.

"After a lapse of near forty years, the piety of his friends has accumulated in our hands, the most triumphant proofs of his innocence; but to virtuous sensibility, forty years of calumny and suspicion, appear an eternity. Yet let virtue remain confident, that though calumny and envy will attack, and villainy beset, time will lift the veil that covers truth, and Providence provide the instrument for doing justice to the memory of the benefactors of mankind. The virtue that purposes to itself no motive more sublime than wealth or cotemporaneous fame, has no claims to the higher attributes or incidents of virtue."

The three extracts now submitted to the reader, are satisfactory to my own purposes of vindicating my brother, and I very cheerfully adopt the last paragraph, as the full expression of my opinion; and I verily believe, that Judge Johnson has become the instrument, in the hands of Providence, to enable me to discharge the pious duty—to lift the veil that covers truth, and reinstate my brother's fame and memory, among the benefactors of mankind.

Judge Johnson then proceeds somewhat abruptly, to extenuate one of the allegations against Greene, which he calls calumny and suspicion.

"Of all the officers at this time attached to the army, there were none who shared more largely in the personal confidence of General Greene, than Major Burnet and Major Forsythe. The former had been in his family ever since the movement of the army from Boston to New-York, and had ever proved himself an honorable, intelligent and assiduous aid. He was often employed in that capacity, in services of the most laborious and confidential nature, and ever acquitted himself in such a manner as to command the entire approbation of the General, as an officer and a friend. Major Forsythe had also, from a very early period, served in the army, in the Virginia line, and signally distinguished himself by his gallantry and good conduct. His talents, urbanity of manners and gentlemanly deportment, had attracted the early notice of General Greene.

"In an unguarded hour, and unknown to General Greene, both Major Burnet and Major Forsythe had entered into a commercial connexion with Banks, or the house of Hunter & Banks. When this connexion took place, is not certainly known; but from Banks' information, it would seem to have been entered into, previous to his going into Charleston the last time. But it appears from Maj. Forsythe's correspondence, that he had had some commercial transactions with Hunter and Banks, at Fredericksburg, in the spring of the year 1782."

SOME CONCLUDING REMARKS.

From the commencement of the career of John Banks to his death, and even to this day, I have been connected and implicated in some manner or other. There were some interesting details, disconnected with him, and subsequent to his death. I may possibly hereafter endeavor to amuse and interest those who may read them; but at this time I shall confine myself to the developments which are necessary for his vindication. I have now concluded those developments and that vindication, by as many demonstrations and sketches as appeared to be necessary for the purpose to which my pen has been devoted; but I will confess, that I might have swelled this work to many more useful pages, and that there is at this time much matter ready for the press. I am compelled, however, from many causes, to present to the world what has been done. It is here, that I make a pause. Yes, here I will face about and bid defiance.

I have presented a tissue of truths and explanatory details, for the examination and memories of the accusers and calumniators of

my worthy and long since deceased brother. I have denied the veracity of their accusations, and the verity of their witnesses; and I have charged them with having garbled documents, and exhibited fabrications for truth; and suggestions as historical data. Yes, Judge William Johnson of South-Carolina, and Doctor Charles Caldwell of Lexington, Kentucky, you have published ponderous books, which you call Histories; but which, so far as relates to the matters which I have discussed, are more fabulous and false, and greater impositions, than the delusions of romance, because we read novels and listen to romances and other flights of fancy, knowing that they are intended to deceive and amuse. You have done historical injustice to the benefactors of their country—against departed heroes and patriots, for the base purpose of filling your purses by pleasing the living. And now, to Judge Johnson I say, without hesitation or fear, or rather, the vindictive hope of being contradicted by him, that his entire History, called the Life of Greene, so far as it speaks of, or relates to John Banks, is a *base, false, fabricated lie, in every thing in which it departs, either in assertion or insinuation, from what has been stated in these memoirs*. And of you, Doctor Charles Caldwell, and your History, I can also say, that the *falsehoods and fabrications* are so much exceeded by your *rhodomontades and romances*, that I hardly know whether most to *despise* or *pity* you; and were you not so exactly in my way, that I am obliged to put you down—yes, down still lower than you have been put down by others, I should say to you, as my uncle Toby did to the captive fly which had tormented him, “Go! get thee gone! Why should I hurt thee? This world surely is wide enough for thee and for me.” Yes, go into the shades of solitude and retirement, and counteract that climax of *mental agony*, which you have so greatly *merited*, unless, as some say, your *self-love* and *vanity* can bring your *egotistical* spirits even to surmount that concatenation of iniquity, which you have perpetrated on the name and fame of a young man now dead almost half a century, whose whole life was a short and brilliant career of virtuous and useful actions and propensities.

I invite you to reflect upon these things, which are now brought in array against you, and adopt, as the future axiom of your life, that a *chattering tongue*, and a *vain, foolish, selfish and deceptive heart*, will often lead their *adherents* into the depths of *misfortune, degradation and contempt*.

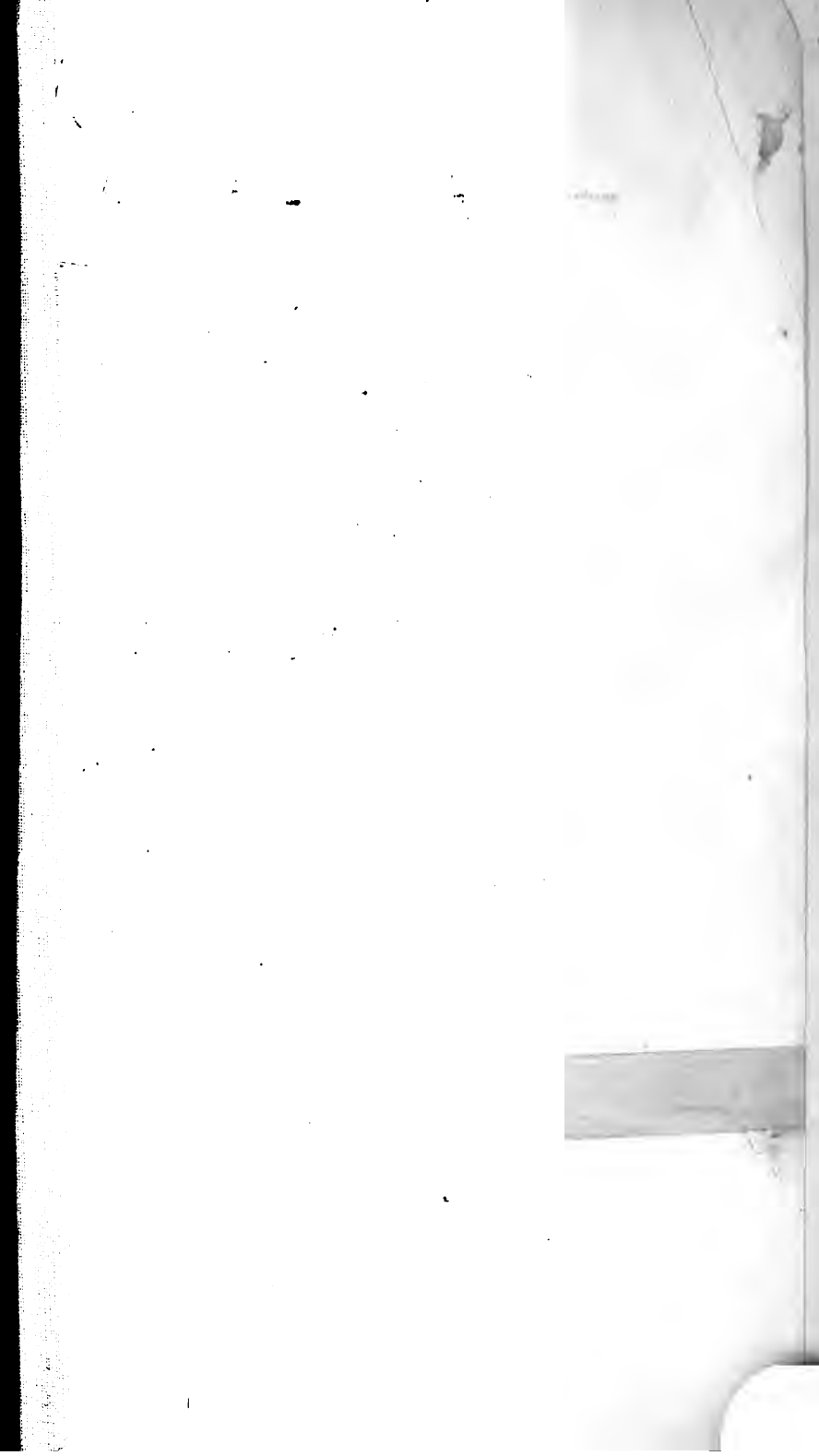
That I have not sought to avoid the worst effects of the anger of Judge Johnson or Doctor Charles Caldwell, is most evident; and I now premonish them, that whilst I do not invite, I shall not avoid their hostility.

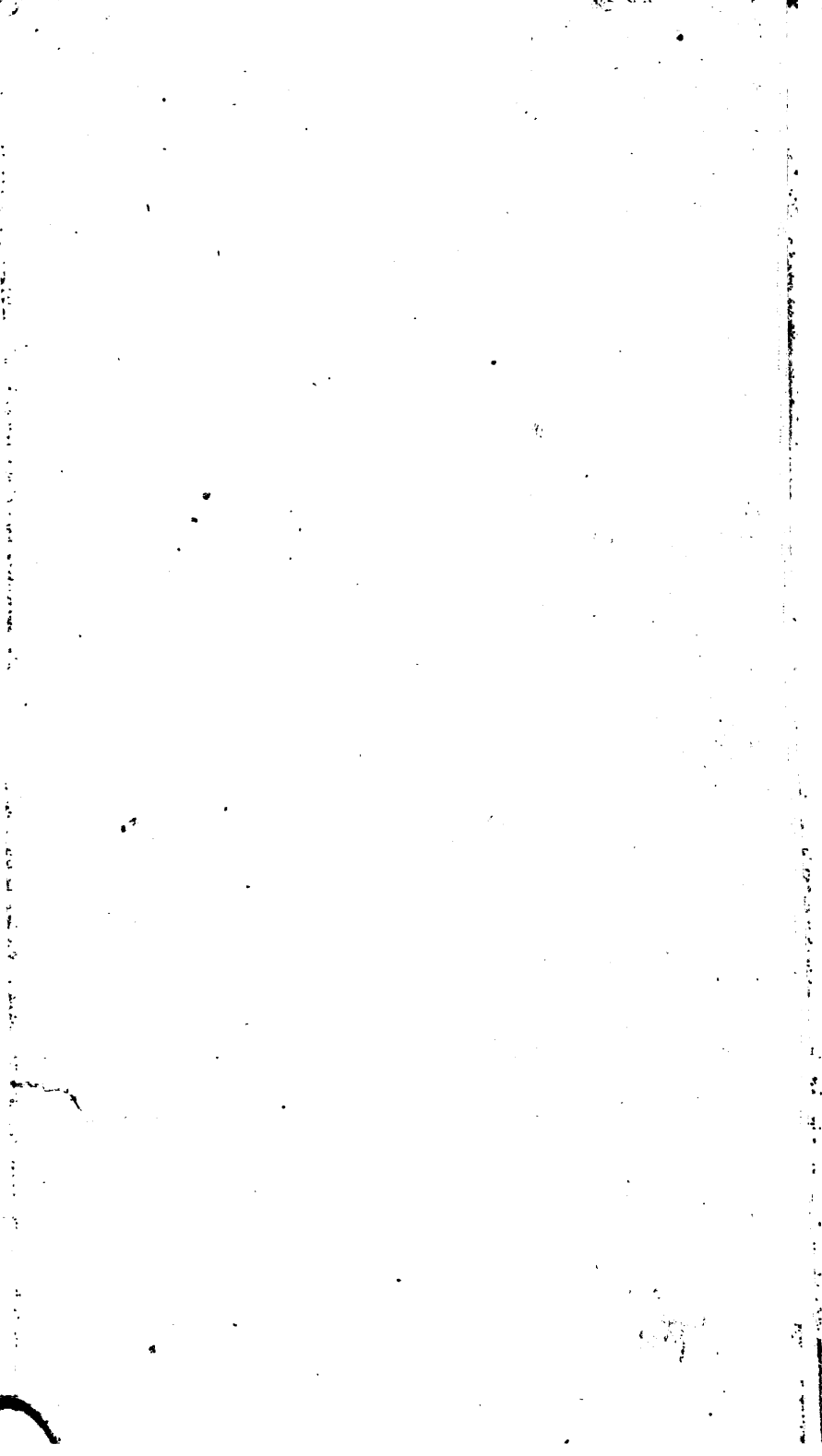
Having now discharged, as well as I could, and as soon as I could, the mental and conscious obligations which I owed to fraternal affection, moral rectitude and eternal justice, I shall enjoy

a better preparation for my own departure from life, than I could have done without making this effort to vindicate that brother whose deeds I have endeavored to portray; and I humbly implore the Father of Mercies, that my latter days and last moments may be serene and confident, and not like those of Greene, filled with anguish, solicitude and fear. This duty being performed, my mind is relieved from a burthen which has weighed upon it for many years. I shall, ere long, devote a portion of my time to some things relating to myself, in Virginia, Philadelphia and Kentucky, in which men and things which have forced themselves upon my memory, will not be neglected. According to my opinion of their merits, they will be portrayed. Those who are not conscious of demerit, need not be disturbed by unpleasant anticipations. No man ought to act so as to dread the truth.

All men wish to entitle themselves to honorable posthumous fame, and all would be willing to show that they were descended from ancestors of usefulness, dignity and popular character; and although I will neither say nor insinuate that there were not many Virginians, of whom the most honorable mention might be made, yet I am very confident that I shall not be opposed either by critic or cynic, in what I have said relating to a few of my countrymen, whom I personally knew, and knew them well. Let those who may think that the catalogue of names ought to be extended to a much longer list, supply by their own pens what I might have done; but let me admonish them uniformly to preserve the same regard for truth and fair deduction, which they will find in the sketches which I have now submitted to public respect and consideration; and let me enforce this admonition, the idea and language of which may be considered as borrowed from the celebrated unknown Junius; that is, not to dress their friends in a tawdry suit of laced qualifications, which they neither ever did wear, nor by nature were designed to wear.

HENRY BANKS, of *Virginia*.





SEP 16 1936

